

**KODIAK/ALEUTIANS SUBSISTENCE REGIONAL ADVISORY COUNCIL  
PUBLIC MEETING**

September 26, 1997  
City Library Room  
Cold Bay, Alaska

**VOLUME II**

**COUNCIL MEMBERS PRESENT:**

Mark Olsen, Chairman  
Alfred B. Cratty, Jr.  
Gilda M. Shellikoff  
Melvin Smith  
Vincent M. Tutiakoff  
Paul Gunderson  
Della Trumble

**Regional Council Coordinator:**

Cliff Edenshaw

## P R O C E E D I N G S

(On record)

CHAIRMAN OLSEN: Good morning, good morning. We'll try that again, good morning.

MR. BRELSFORD: Good morning Mr. Chairman.

IN UNISON: Good morning, Mr. Chairman.

CHAIRMAN OLSEN: I guess we'll go ahead and get started here this morning even with the few we got here. It is 8:00 o'clock, in fact, after that. I guess we'll open right up here with Taylor giving us an update on the fisheries.

MR. BRELSFORD: Good morning, Mr. Chairman. This update on the proposed modification of Federal fisheries management, I have some overheads. These follow, very closely the text, a little two or three page write-up and I'm going to distribute some copies of this, and to Arnie and the fellows.

Basically there are four points I'd like to touch base on. One is, what's happened in the past year. Secondly, look at this proposed rule, which would be the first step in actually making binding regulations, actual Federal regulations. The third thing is, what's the impact on the Regional Councils. And the fourth thing would be the steps that would occur after October 1st. We had some discussion yesterday morning, kind of wondering what happens on the 1st of October really, and I want to come back and address that as the final item in this presentation.

So during the past year, I think a lot of this is kind of common knowledge, but the Ninth Circuit Court decision in the Katie John case is good law. It was taken up to the Supreme Court for a possible appeal and the Supreme Court turned that down and said the Ninth Circuit decision is good binding judicial decision. But at the same time the Congress passed what was called a moratorium prohibiting the Federal government from spending money to implement the Katie John decision, so it's been kind of a tug-of-war between the two branches of government. We have a court that says, go ahead and we have Congress that says, stand still. Now, that moratorium ends on September 30th, so that's why this October 1st deadline has been such a big deal. Without the moratorium, the court order is effective, we would go ahead under the court's guidance when the moratorium ends or if this moratorium is, in fact, lifted.

1           We have done some of the planning steps during the past  
2 year developing some proposed regulations or the preliminary  
3 regulations and we've had discussions with the Regional Council  
4 on the draft of those proposed rules. I remember in Kodiak, I  
5 sat with Gilda and Melvin, I guess, and we talked quite a bit  
6 about what the C&T's looked like in the Unimak wide area and  
7 stuff. So I know some of you will remember that draft version  
8 of the proposed rule that was out for discussion last spring.

9  
10           The other building block or planning step that is now  
11 behind us is the environmental assessment or this National  
12 Environmental Protection Act requires review for every  
13 significant Federal thing. The document they prepare for that  
14 is called an environmental assessment, and that has also now  
15 been concluded.

16  
17           Probably the most significant thing going on is really  
18 the structure of those proposed Federal fisheries regulations,  
19 so I want to kind of summarize these and these correspond to  
20 the bulleted points in the text. The first item in this  
21 proposed rule, the draft regulations, are identifications of  
22 the waters affected by the Katie John decision, and there's a  
23 couple of key points for everybody to keep in mind. It's fresh  
24 water, not marine waters. The Katie John decision did not  
25 extend to coastal waters, it's only inland fresh water systems.  
26 The legal thing is navigable waters. And the other key is it's  
27 navigable waters or fresh waters where they're in or beside  
28 conservation units. So it's only in a refuge or if it's the  
29 boundary of the refuge, then it still counts, but it's waters  
30 that directly associate or directly connected to a Federal  
31 conservation unit. So in this region, that's going to include  
32 the Kodiak Refuge and the Izembek Refuge. There are some areas  
33 affected by the Alaska Maritime National Wildlife Refuge, but  
34 the big picture is it's limited in scope. It is not, you know,  
35 wide sweeping coastal waters that would come under Federal  
36 jurisdiction. That's kind of a key thing that everybody  
37 focuses on first when they will read these proposed  
38 regulations.

39  
40           There's a second thing having to do with the areas  
41 effected. Under these regulations, Federal subsistence regs  
42 would apply on selected but not yet conveyed lands so that the  
43 ANCSA corporations selections, a lot of those are still kind of  
44 going through all the hoops before final conveyance. At the  
45 present time those selected lands are not under Federal  
46 jurisdiction. If this rule actually goes all the way through  
47 to conclusion, then those lands would come under the Federal  
48 Subsistence Program. There may be some areas on Kodiak or  
49 elsewhere where that's significant. I'm not real sure on the  
50 status of land conveyances in the Aleut and Koniag regions.

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1 But this is a change in the regulations from what we've done  
2 before.

3  
4 The third thing has been a real hot button. This is  
5 what's been referred to by people as extraterritoriality. And  
6 this is a legal authority, where the Secretary of Interior and  
7 Agriculture can reach off of Federal lands if some activity off  
8 those lands is causing a failure of subsistence on the Federal  
9 lands. The authority starts with some breakdown on the Federal  
10 lands, the Federal lands and waters directly under the  
11 Secretary's jurisdiction. If something happening upstream or  
12 earlier in the migration pathway is causing failure on those  
13 Federal lands, then the Secretaries have an existing law, an  
14 existing authority to regulate to diminish or restrict that  
15 activity that's causing the failure on Federal lands. So they  
16 can't go make changes in Area M. What they have to do is  
17 evaluate -- sorry, it would be a failure on Federal public  
18 lands or waters that would provide the basis for Secretarial  
19 actions off of the Federal waters.

20  
21 CHAIRMAN OLSEN: Excuse me if I can one second, how, in  
22 fact, would that effect when we do not have a subsistence  
23 management plan, how would that be identified?

24  
25 MR. BRELSFORD: I think there's probably two points to  
26 emphasize. And one is it's entirely fact specific, there has  
27 to be a demonstration that the failure on Federal lands is  
28 caused by some activity off of Federal lands. There's going to  
29 be a pretty significant scientific evaluation before this kind  
30 of reaching out of Federal lands would ever occur. The other  
31 point to make is that it is very rare. It's done very  
32 hesitantly because it's considered sort of a national matter  
33 when the Secretary of Interior gets in the face of the State --  
34 of any state. They don't do it lightly, they do it on the  
35 basis of a pretty strong fact foundation, and this authority,  
36 as it says, is exercised only by the Secretary. The Federal  
37 Subsistence Board will not have jurisdiction, will not have  
38 authority to take this kind of action on their own. They will  
39 receive complaints from the public if there's problems. The  
40 Board acts as kind of the information conduit on behalf of the  
41 Secretary, but the Federal Subsistence Board cannot act in this  
42 capacity itself. They can only forward information to the  
43 Secretary of Interior.

44  
45 So again, it's very fact specific. It requires a  
46 demonstration that stands up to scientific scrutiny, and it's  
47 considered a very major national matter of relationships  
48 between the Secretaries and the State government. So I think  
49 people need to understand that it's not the kind of thing  
50 that's going to be done lightly or on somebody's say so alone

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1 or quickly. It will be a very kind of demanding process to  
2 ever come into effect.

3

4 CHAIRMAN OLSEN: Then how -- failure must be defined  
5 then? I mean that's the key word, I guess, failure. What --  
6 it seems like failure then, it's already happened. That's the  
7 language I hear.

8

9 MR. BRELSFORD: I think to some extent because of the  
10 cautions around this, the circumstances have to be fairly  
11 extreme, which is what you're saying, but it's.....

12

13 CHAIRMAN OLSEN: Certainly, like the Yukon issue? I  
14 mean when it was closed to subsistence, is that considered  
15 failure then?

16

17 MR. BRELSFORD: The regs here don't provide thresholds  
18 or additional definitions. I think they have to take it out of  
19 case law, out of examples where this kind of authority's been  
20 exercised in the past. So I -- I mean as a layman, it would  
21 seem to me that some of the chum run failures and so on would  
22 qualify as failures. What the causes would be is again going  
23 to be subject to scientific investigation. I guess for our  
24 purposes right now, rather than, you know, kind of speculate  
25 about specific cases and so on, I think it's more important to  
26 kind of keep in mind that this is -- it's an existing law, an  
27 existing authority, it's exercised by the Secretary, it's very  
28 fact and science dependent.

29

30 CHAIRMAN OLSEN: Just trying to get a picture.

31

32 MR. BRELSFORD: Yeah. I think the short answer is, I'm  
33 not sure I know enough to tell you how it would apply in the  
34 Western Alaska chum run failures and so on. I'm not sure all  
35 of the criteria and the particulars are worked out in that  
36 fashion.

37

38 CHAIRMAN OLSEN: It seems to me then that that would be  
39 the first order is to define those.

40

41 MR. BRELSFORD: Well, I -- as I say the process as the  
42 Board has laid it out is that the Board would receive a  
43 complaint or.....

44

45 CHAIRMAN OLSEN: Snivel.

46

47 MR. BRELSFORD: No, that the Councils, the communities  
48 could come before the Board and say this is a failure to  
49 provide for subsistence uses on the Federal lands and Federal  
50 waters and this is the cause. That cause would have to be

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1 evaluated, there would have to be a scientific validation of  
2 that causal relationship, and then the Board forwards that  
3 information to the Secretary with a recommendation for action.

4  
5 CHAIRMAN OLSEN: I'm just trying to think.....

6  
7 MR. GUNDERSON: Well, that's kind of spooky to me.

8  
9 MR. CRATTY: So basically they've only got jurisdiction  
10 over anywhere where the Federal lands is, any of the outfalling  
11 streams?

12  
13 MR. BRELSFORD: Fresh waters, right.

14  
15 MR. CRATTY: Fresh water.

16  
17 MR. BRELSFORD: The navigable waters.

18  
19 MR. CRATTY: They don't have jurisdiction over the  
20 ocean then?

21  
22 MR. BRELSFORD: Not direct, that's correct.

23  
24 MR. CRATTY: Yeah.

25  
26 MR. GUNDERSON: Indirect, you just said that they do.

27  
28 MR. BRELSFORD: Yeah.

29  
30 MR. CRATTY: Well, they could, but it goes through a  
31 big process.

32  
33 MR. TUTIAKOFF: You'd have to have a total failure  
34 in.....

35  
36 MR. CRATTY: Yeah, you.....

37  
38 MR. TUTIAKOFF: .....the fisheries for them.....

39  
40 MR. CRATTY: .....they can't.....

41  
42 MR. TUTIAKOFF: .....to even implement subsistence law.

43  
44 MR. CRATTY: Like he said, it's got.....

45  
46 MR. GUNDERSON: Well, we've got that.....

47  
48 MR. CRATTY: .....to be really hard.

49  
50 MR. GUNDERSON: .....battle going on through the State

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1 and we've had it go on for years.

2

3 MR. MACK: And navigable waters, that there.....

4

5 MR. GUNDERSON: Yeah.

6

7 MR. MACK: .....is going to be the question there. The  
8 line, is it navigable waters?

9

10 MR. BRELSFORD: Right.

11

12 MR. MACK: Now, that there is my question, where does  
13 that put us in? You know, because the way the fisheries is  
14 running now, we're standing at a rate of loss and if we turned  
15 around, between the fight that we're going with Bristol Bay and  
16 up north and AYK area and we turn around the navigable into  
17 subsistence, then the Feds can just totally shut us down if  
18 they go on the navigable water system.....

19

20 MR. TUTIAKOFF: They could shut us -- the State will  
21 shut you down before the Federal government.

22

23 MR. MACK: No, no. If the Federal government takes  
24 over, the Federal government will have jurisdiction.

25

26 MR. TUTIAKOFF: No.

27

28 MR. BRELSFORD: No, let me really highlight.....

29

30 MR. TUTIAKOFF: They won't have that.

31

32 MR. CRATTY: No.

33

34 MR. BRELSFORD: .....and address this face on. That's  
35 kind of an overstatement.

36

37 MR. TUTIAKOFF: Over reaction.

38

39 MR. BRELSFORD: The waters that come under the Katie  
40 John case are navigable -- fresh water systems, not marine  
41 waters and only inside of or immediately adjacent to Federal  
42 conservation lands, like the refuge on Kodiak Island or here in  
43 the Izembek area. It's fresh waters in those conservation  
44 units that come under the Katie John decision. The offshore  
45 systems are not effected, they remain under State jurisdiction  
46 out to the three mile limit and so on.

47

48 The problem that you're asking about and what lots of  
49 people in the Aleut and many regions have asked about is this  
50 legal doctrine called, extraterritoriality, and I'm trying to

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1 say that that's existing law. There's nothing new.....

2

3 MR. TUTIAKOFF: It's already in place.

4

5 MR. BRELSFORD: .....coming at you in these  
6 regulations. What we're trying to emphasize to people is it is  
7 fact dependent that the same scientific questions about stock  
8 separations, about streams of origin, all that same kind of  
9 stuff has to be documented to a scientific level before the  
10 Federal government is going to reach off of Federal lands or  
11 Federal waters and intervene.

12

13 So I think Al said it about right, that it's not going  
14 to be quick, it's going to require a lot of documentation. I  
15 think we want to be a little measured about the fear factor  
16 here, it is real. The doctrine of extraterritoriality is a  
17 long standing legal tool for the Federal government. It is  
18 very, very rarely used. It's real fact specific. So I guess I  
19 kind of want, you know, the benefit of this discussion to be a  
20 realism, that people go away knowing what the realities are  
21 here, and not going to have it overblown or you know, not  
22 ignore the process.

23

24 MS. TRUMBLE: Basically what they're saying is they'll  
25 retain Secretarial authority and extend jurisdiction on public  
26 lands waters to protect subsistence on public land and water is  
27 already in place; it's already a law.

28

29 MR. TUTIAKOFF: It's already in law.

30

31 MS. TRUMBLE: So what -- and I guess just understanding  
32 our fear because the people in our region constantly.....

33

34 MR. BRELSFORD: Have been through.....

35

36 MS. TRUMBLE: .....are fighting.....

37

38 MR. BRELSFORD: Yeah, 20 years.

39

40 MS. TRUMBLE: .....for years. And where our concern  
41 is people up north are using this as a tool to more get what  
42 they've been trying to for many years.

43

44 MR. BRELSFORD: Well, I think.....

45

46 MS. TRUMBLE: And I think it's a real fear.

47

48 MR. BRELSFORD: I think part of what we're trying to do  
49 in this set of meetings is to be a little more specific and  
50 kind of allay some of the fears or overblown prospect to



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1 perceptions about this. It's not new law, it's existing law.  
2 It's not going to happen overnight. It still requires the fact  
3 basis, like I'm saying. So some folks up north are going to be  
4 a little disappointed, they're going to say, well, what's the  
5 good of Federal jurisdiction if we're not going to be able to  
6 make some sweeping changes.....

7  
8 MS. TRUMBLE: And they use that though.

9  
10 MR. BRELSFORD: .....in.....

11  
12 MS. TRUMBLE: They state it.

13  
14 MR. HUFF: The only reason we're still fishing yet is  
15 all the scientific facts prove that, you know, we're harming  
16 any one stock anyways up there. It's the only reason we're  
17 still fishing. But we're afraid that with 20,000 Eskimos and  
18 Indians up there, 50,000 screaming to shut us down, that the  
19 Feds are going to do it whether the facts are there or not.

20  
21 MR. BRELSFORD: What I'm trying to suggest that in the  
22 history of this extraterritoriality, it is very rarely used and  
23 only with pretty ironclad scientific basis. That's just how it  
24 has been. And I think from the discussions we've -- the  
25 briefings we've had internally, we've been asked to really  
26 emphasize to people this time out, that like I said, it's not  
27 new law, it's existing, but it's fact dependent and that it  
28 remains at the Secretarial level. It's not going to be handed  
29 down, delegated down to the Board, to the Federal Subsistence  
30 Board. It's still a national matter any time the Secretary's  
31 reaching off of Federal lands.

32  
33 MR. TUTIAKOFF: I think we're talking -- Mr. Chairman.

34  
35 CHAIRMAN OLSEN: Vince.

36  
37 MR. TUTIAKOFF: I think we're talking two separate  
38 issues and we're combining them to relate to subsistence.  
39 They're talking about a commercial industry, and it's not  
40 regulated by this body or the Federal government, and does not  
41 propose to take over that. The State of Alaska controls the  
42 commercial fisheries. We, as a subsistence Federal Council  
43 here, all we're here to do is if the subsistence user does not  
44 get his share or their share of subsistence, then it's effected  
45 -- can be effected by the commercial fishery, that's -- you  
46 know, you're not talking probably what, two or 3,000 fish per  
47 community, that's not going to break anybody. I mean you're  
48 talking thousands and thousands of fish when you're talking  
49 about a commercial fishery. We won't be.....

50

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1 MR. MACK: You got to.....

2

3 MR. TUTIAKOFF: .....extending down that.....

4

5 MR. MACK: .....you got to stop and think, you're not  
6 talking a thousand fish, they're allowed 1,500 fish for their  
7 dogs alone.

8

9 MR. TUTIAKOFF: Well, I mean.....

10

11 MR. MACK: So get your.....

12

13 MR. TUTIAKOFF: .....in our area.

14

15 MR. MACK: .....get your.....

16

17 MR. TUTIAKOFF: I'm not talking.....

18

19 MR. MACK: .....facts straight.

20

21 MR. TUTIAKOFF: .....about their area. Their area.....

22

23 MS. HILE: Wait, wait, wait.

24

25 MR. MACK: But I'm.....

26

27 MR. TUTIAKOFF: .....is up there.

28

29 MS. HILE: Wait.

30

31 MR. MACK: ....I'm.....

32

33 MR. TUTIAKOFF: I'm not.....

34

35 CHAIRMAN OLSEN: Excuse me.

36

37 MR. TUTIAKOFF: .....talking their area.

38

39 CHAIRMAN OLSEN: Please one at a time.

40

41 MS. HILE: One at a time, please. Vince.

42

43 MR. TUTIAKOFF: Yeah. I'm not talking about their  
44 area. We can't make decisions on their area. I understand  
45 what you're saying, but that's a commercial thing that you're  
46 talking about, where they're saying they want to shut down the  
47 industry out here for letting them get fish up there.

48

49 I understand that. But realistically, that -- they'll  
50 have to go through the same process that we're talking about

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1 here. It would take them years to shut down the commercial  
2 industry out here through the process that's -- it's available  
3 right now under this law, which is Item 3 there. They could do  
4 that right now, without the Federal Board in place, it was  
5 there. All this is doing is bringing it forward, giving this  
6 Board or this Council authority to review that and make  
7 recommendations.

8  
9 MR. HUFF: Our commercial fishing has evolved into our  
10 subsistence.

11  
12 MR. TUTIAKOFF: Yeah, I know.

13  
14 MR. HUFF: It's the only life we have.

15  
16 MR. TUTIAKOFF: Without the commercial fishing, you  
17 don't have a subsistence. And that's.....

18  
19 MR. HUFF: Yeah. We're -- we're.....

20  
21 MR. TUTIAKOFF: .....the position that the Aleut  
22 Corporation has taken in this whole issue. I mean we're kind  
23 of split down the middle on the issue.

24  
25 MR. BRELSFORD: Why don't we -- if I could Mr.  
26 Chairman, maybe put that on hold and let's talk about what  
27 happens after October because there's some more steps before  
28 any of this is a reality -- concrete reality. So maybe we kind  
29 of recognize the significance of this one and we could move on  
30 for a minute and leave some questions for later discussion.

31  
32 I wanted to mention two more things in the proposed  
33 regulations. There's been some controversy about the matter of  
34 customary trade. And what these regulations provide for is  
35 existing traditional practices of customary trade when it is  
36 not a significant commercial enterprise, so there's still a cap  
37 on the kind of exchanges in communities where subsistence taken  
38 fish or strips, processed fish can be exchanged for non-  
39 commercial quantities, not significant commercial enterprise  
40 levels of cash. That is an existing practice, it's a pretty  
41 big deal in a lot regions. And so these regs kind of retain  
42 the status quo. The cap on that is that this commercial --  
43 this exchange in the villages, customary trade, cannot be at a  
44 scale that would constitute a significant commercial  
45 enterprise.

46  
47 And the last thing is that on the kind of nuts and  
48 bolts regulations, seasons and bag limits, these -- the first  
49 round of Federal subsistence fishery regs will look very  
50 similar to the existing State subsistence fishing regs. That's

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1 going to be the baseline. And the Councils and the public can  
2 make changes in coming years to adjust or refine those  
3 subsistence regulations. But instead of just, kind of starting  
4 big dramatic changes out of the gate, this is going to use an  
5 existing regulatory system for subsistence fisheries as the  
6 baseline and allow modifications in the coming years with the  
7 same kind of role that the Councils have had on wildlife. You  
8 guys would be in the middle of those regulatory proposals and  
9 recommendations and Board changes over the years.

10  
11 There are a few specifics where the Federal Board has  
12 already taken action on some fishing things, and those are  
13 included. So for example, in Batzulnetas, the actual fishing  
14 site where Katie John was fishing, the court said, provide a  
15 subsistence fishery there, so that's there. That's not in  
16 State regs, but that is included in these proposed Federal  
17 regs. And another example would be rod and reel. In the State  
18 system, that was typically not treated as a subsistence gear  
19 type, in the Federal regulations, rod and reel is treated as a  
20 subsistence gear type. So this whole idea, this process of  
21 introducing Federal fisheries subsistence management is very  
22 similar to what happened in 1990 when there was Federal  
23 wildlife subsistence management. They started from an existing  
24 baseline and then made adjustments year-to-year based on  
25 Council input and public requests.

26  
27 I think probably the next thing to bring to your  
28 attention is some of the implications for the Regional  
29 Councils. It's quite clear that taking on fisheries management  
30 down the road would, indeed, increase the work load. And the  
31 general picture that we're -- we had some discussion with  
32 Councils, you guys generally did not want to split up and have  
33 wildlife councils and fisheries councils, but instead have dual  
34 -- have both responsibilities in the same council. So what we  
35 thought that the wisest way to go would be to think about an  
36 extra day in the fall meetings and in the winter meetings.  
37 They may become three day meetings, rather than two.

38  
39 The second point says it would be offset from the  
40 wildlife regs cycle. So like in the fall time this time of  
41 year, you would be starting proposals for wildlife, but you  
42 would be making your final recommendations on fisheries regs.  
43 The Board would meet in regard to fish regulations like in  
44 December and then those would go in effect in the spring. But  
45 on wildlife, you would make proposals now and then in the  
46 winter, make recommendations on the tech -- you know, you'd  
47 review the technical analysis, make the recommendations to the  
48 Board and the Board meets in April for July. So it seems as  
49 though the workload could be handled by the same council with a  
50 fairly small additional time requirement in the fall meetings

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1 and again in the winter meetings.

2

3 MR. SMITH: Doesn't the Governor's Task Force want to  
4 change these Regional Councils though to, you know.....

5

6 MR. BRELSFORD: Yeah, let's run to the next.....

7

8 MR. SMITH: .....or is that coming up?

9

10 MR. BRELSFORD: Yeah.

11

12 CHAIRMAN OLSEN: It's under a different topic.

13

14 MR. BRELSFORD: The last point made here is that if the  
15 moratorium is lifted and the Federal process takes place, the  
16 first year to really start making new proposals in fisheries  
17 regs would be a year from now, fall of '98. That's when a new  
18 review -- proposals and reviews of fisheries would start, is a  
19 year from now. In this first year, what we're going to do,  
20 like I said, is the State system incorporated as kind of a  
21 baseline, the State subsistence regs.

22

23 CHAIRMAN OLSEN: To be implemented in '99?

24

25 MR. BRELSFORD: The first year would start in spring of  
26 '98. That baseline set of regs would start in.....

27

28 CHAIRMAN OLSEN: It says, review cycle starts in late  
29 '98.

30

31 MR. BRELSFORD: For new changes, new proposals.....

32

33 CHAIRMAN OLSEN: Right.

34

35 MR. BRELSFORD: .....to fish regs, that would be in  
36 '98. And those changes would be effective in '99.

37

38 CHAIRMAN OLSEN: '99, right.

39

40 MR. BRELSFORD: So the '98 regs would be very similar  
41 to what you now have under the State system.

42

43 So Melvin's question really goes to what's next. This  
44 is if the moratorium's lifted and basically what that means is  
45 if the Governor's Task Force runs aground, if nothing happens,  
46 no change towards to reunifying with the State system, if the  
47 court order guides us, none of these other things work, and  
48 we're directed by the court to proceed, I wanted to be sure  
49 everybody understands the steps involved before anything takes  
50 effect. So the first step is to publish the proposed rule in

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1 the Federal Register. There's basically these public notice  
2 requirements. You can't make new Federal rules by dark of  
3 night, you have to do it in an open public process. So after  
4 October 1st, if these other efforts break down and no  
5 reconciliation with the State system and so on, shortly after  
6 October 1st, there would be a publication nationally of the  
7 proposed rule, proposed regulation like the draft, so to speak.  
8 After that there have to be public hearings and there would be  
9 something on the order of 10 to 20 public meetings held in late  
10 winter in all of the regions, but also the big communities that  
11 have an interest in the Federal fisheries question. This is  
12 not going to pass unnoticed, right, there's going to be a lot  
13 of public scrutiny. That set of public meetings is going to be  
14 a pretty big deal. Only after you do that can the Federal  
15 regulations then be finalized and published as what's called  
16 the final rule. And then after all of those, the new  
17 regulations could go into effect with the new seasons in the  
18 spring of '98, in April or March of 1998. So that maybe -- you  
19 know some folks have wondered if you're going to see a bunch of  
20 new fisheries enforcement officers setting up shop on October  
21 2nd, and the answer to that is no. There's still an extensive  
22 public involvement process before those Federal regulations  
23 would be binding, would be finalized.

24  
25 And like some of the questions you guys were asking  
26 about how is this particular thing going to be worked out or  
27 what about such and such. I think those are the kinds of  
28 questions that might be worked out. There may be some changes  
29 between the proposed rule, the draft stage and the final stage  
30 based on input during those public meetings. There could be  
31 some refinements or some modifications to the proposed rule.  
32 That's what that whole public involvement process is about.

33  
34 So the effective date, the first day in which there is  
35 going to be real new seasons and bag limits and Federal  
36 jurisdiction on the ground is actually in the spring of '98,  
37 it's not October 1st. What would start on October 1st is the  
38 public involvement step of Federal rulemaking. So I hope I  
39 kind of started to answer your questions, Melvin, and that  
40 was.....

41  
42 MR. SMITH: Yeah. But.....

43  
44 MR. BRELSFORD: And that's it.

45  
46 MR. SMITH: .....if the State should pull it off and we  
47 don't go to Federal takeover, you know, the Governor's  
48 proposing six Regional Councils instead of -- we have nine  
49 right now, right?

50

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1 MR. TUTIAKOFF: For the State.  
2  
3 CHAIRMAN OLSEN: Ten.  
4  
5 MR. BRELSFORD: Ten.  
6  
7 MR. TUTIAKOFF: But just for the.....  
8  
9 MR. BRELSFORD: We have 10.  
10  
11 MR. TUTIAKOFF: But just for the State, that doesn't  
12 have nothing to do with this program or are we going to  
13 rollover into their program?  
14  
15 MR. SMITH: Oh, I see what you mean, yeah.  
16  
17 MR. CRATTY: See, it's just a different program.  
18  
19 MR. SMITH: Yeah, right.  
20  
21 MR. TUTIAKOFF: They're total separate councils.....  
22  
23 MR. SMITH: Right.  
24  
25 MR. TUTIAKOFF: .....that.....  
26  
27 MR. SMITH: Um-hum.  
28  
29 MR. BRELSFORD: There are two paths, what the Governor  
30 and the Secretary would like is those paths to converge and  
31 have one subsistence management system. But there's a lot of  
32 steps. There has to be some legislation. By most accounts  
33 there would have to be a public vote on a constitutional  
34 amendment. Then the Federal government has to make a fin --  
35 the Secretary has to make a finding that the State program  
36 complies and then you go back to a unified subsistence program.  
37  
38 I mean I lot of you guys have been in pretty close on  
39 this Governor's Task Force and the AFN Summit meeting, so you  
40 know that the proposals are suggesting some changes in the  
41 Regional Council program. I think -- we believe that the State  
42 program is trying to take some lessons from the success of the  
43 Regional Council programs. That they've seen that as a real  
44 achievement, a real accomplishment in the last five or six  
45 years and want to benefit from that, want to retain strong  
46 regional councils with heavy input, you know, vigorous input  
47 but they are structured a bit differently under the Governor's  
48 Task Force proposal.  
49  
50 CHAIRMAN OLSEN: When I look at this minimum change,

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1 State subsistence regulation, that once again we're back to  
2 ground zero, I don't know, and that is is the rural preference  
3 -- is that a given then or is that something that is up for  
4 discussion?

5  
6 MR. BRELSFORD: In the Federal system the rural  
7 preference is absolute. I mean that's the.....

8  
9 CHAIRMAN OLSEN: A given.

10  
11 MR. BRELSFORD: .....doorway in. We don't do anything  
12 except in rural areas with rural residents. The rural  
13 preference is the key in the Federal subsistence regs. So  
14 these seasons and bag limits adopted from the State are similar  
15 to what goes on now. But the people who benefit from those  
16 under Federal regulations would be rural Alaska residents, not  
17 non-rural residents.

18  
19 CHAIRMAN OLSEN: Okay. The other thing I look at is  
20 the customary trade commercial issue. When I look at and want  
21 to take example for purposes is smoked fish, I mean that is  
22 something that's kind of common amongst all the Native groups  
23 and tribes, but we're prohibited from selling it due to, I  
24 don't know health, they claim that if the fish isn't cooked at  
25 a certain degree, so therefore, it does not pass the regs  
26 concerning foods. But yet it is something that has been around  
27 many, many generations. And smoked fish is a big commodity  
28 that is desired by many other people. I'm just trying to see  
29 how is that going to effect between conflicting laws now?

30  
31 MR. BRELSFORD: I may let Arnie back me, I want to make  
32 sure I've got this right. I think there are separate  
33 regulations, commercial sales, licensed commercial fish sales.

34  
35 MR. CRATTY: Um-hum.

36  
37 CHAIRMAN OLSEN: Well, you'd have to consider it non-  
38 commercial because they legally can't sell it commercially now.

39  
40 MR. BRELSFORD: Again, the health.....

41  
42 MR. SHAUL: The health regulations are different.

43  
44 MR. BRELSFORD: .....regulations. Right. That was  
45 where I was hoping we could get.....

46  
47 MR. SHAUL: If you're going to have a regular  
48 commercial operations, you really have products, there's all  
49 kinds of food health regulations that seem to never end.  
50 That's one thing that makes commercial -- regulations, it's got



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1 to be caught in commercial fishing periods. If you're talking  
2 about the customary and traditional trade among other  
3 people.....

4  
5 MR. BRELSFORD: It's kind of.....

6  
7 MR. SHAUL: .....you're subsistencing. That's a whole  
8 different issue.

9  
10 CHAIRMAN OLSEN: I guess as what I look at, they've  
11 tried to produce it commercially and it's been shot down for  
12 one reason or another all the way through. And there seems to  
13 be no clear path on the simple.....

14  
15 MR. CRATTY: Yeah, there is one, Mark, you can just  
16 sell it for cat or dog food.

17  
18 CHAIRMAN OLSEN: Yeah.

19  
20 MR. CRATTY: Just put cat food or dog food on it.

21  
22 CHAIRMAN OLSEN: But there's got to be some way to  
23 promote that. It's always been a customary trade.

24  
25 MR. CRATTY: Right.

26  
27 CHAIRMAN OLSEN: Yes, without a doubt.

28  
29 MR. ELEY: They're trying to develop that on the Yukon  
30 River and they ran into the same problem.

31  
32 MR. CRATTY: I thought there was one place.....

33  
34 MR. ELEY: The Health Department ran a.....

35  
36 MR. CRATTY: I thought one guy did it.....

37  
38 CHAIRMAN OLSEN: But if it's not commercial, then how  
39 can they effect it? So do you see what I'm saying, we're  
40 identifying commercial and non-commercial.....

41  
42 MR. CRATTY: Because when you're selling it you are  
43 making it commercial.

44  
45 CHAIRMAN OLSEN: Well, that's customary trade. Okay,  
46 I'll leave it at that. I'm just wanted to exercise a point  
47 that I see very crucial to.....

48  
49 MR. SMITH: It's pretty hard to distinguish.....

50

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1 MR. BRELSFORD: I think there's grey areas is what  
2 you're suggesting to us.

3  
4 CHAIRMAN OLSEN: A little darker than grey.

5  
6 MR. BRELSFORD: It's pretty clear that -- yeah, okay,  
7 dark grey.

8  
9 MR. SMITH: Clouded grey.

10  
11 CHAIRMAN OLSEN: Battleship.

12  
13 MR. BRELSFORD: Yeah. I know that time is kind of  
14 short so we may not be able to examine all of the legals that  
15 there are. But if there were any other big questions or Tom,  
16 if you had any key points that I might have passed over.

17  
18 MR. ELEY: No, it's just on the extra jurisdictional, I  
19 think everybody should just remember that's not going to be  
20 done lightly. There have been civil wars over that sort of  
21 thing, and so it's going to go to Washington and it's going to  
22 be a political decision, and it's not going to be done on a  
23 willy-nilly basis. So I think you can rest a little easy.

24  
25 MR. SMITH: Not completely, though.

26  
27 MR. TUTIAKOFF: I have a question.

28  
29 MR. MACK: My only comment -- excuse me, Mr. Chairman.  
30 My only comment is that you got regulations will probably go in  
31 the spring of 1998 which is going to effect our fishery and the  
32 commercial thing. But like Tom was saying, and I understand  
33 fully too, if they do take over it's going to be a lot of steps  
34 that we're going to have to face. And it's coming and I know  
35 this Board here, you have nothing to say about it, except  
36 subsistence use only and I appreciate that. And you know,  
37 you're going to have a lot of work cut out for you, it's going  
38 to be an ongoing -- oncoming battle, and I know, you know,  
39 we've worked with the State for how many years and all the --  
40 all the programs and statistics and findings and everything and  
41 I just -- when it does come about, or it does come about, you  
42 know, just when you do have your meetings, I'm hoping that  
43 you'll please include our district 'cause we'll be there, we'll  
44 be there. And I appreciate that.

45  
46 MS. TRUMBLE: Mr. Chair. Maybe just another little  
47 point of interest, too. Marvin and I, been reading -- doing  
48 some reading and, you know, we are under -- in black and  
49 whites, some areas that the people in AYK have -- you know,  
50 they don't have any technically -- they can get their

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1 subsistence to any degree, they're not being stopped. We are  
2 and if you look at the theory of them stopping or trying to  
3 control 20 some thousand people, they can't. But when you're  
4 looking in the region of a couple of thousand people, they damn  
5 well can and are. And if they're under the impression that  
6 they're going to go to Federal takeover and get what they want  
7 because they've been allowed to for so many years, that's what  
8 they're going to go after. Right back down to us.

9  
10 CHAIRMAN OLSEN: Okay, see it's.....

11  
12 MR. GUNDERSON: I don't see really any checks and  
13 balances in this thing. It's up to the Secretary of the  
14 Interior to make a decision as to what goes on. And like you  
15 say, there's supposed to be a lot of public comment and  
16 whatever, but -- it gives the authority to one individual  
17 instead of having a board that we can all go before.

18  
19 MR. BRELSFORD: Well, let me say once again, that the  
20 starting point, the first point of information gathering is  
21 actually the Federal Board in Alaska. So a council or a  
22 community, if they have a complaint about a subsistence  
23 failure, they go to this Board and make their case, layout the  
24 information. Then additional technical analysis is done to see  
25 if it holds up, to see what the scientific information is. And  
26 then the Board passes that information and a recommendation on  
27 to the Secretary.

28  
29 I think another check and balance of this we really  
30 haven't mentioned is that it's subject to court review. And  
31 we're all very aware that every stage of this dispute about  
32 passed through fisheries and terminal fisheries and so on has  
33 landed in the courts, and the courts have been going through  
34 the scientific record and the administrative record and so on.  
35 So the Secretary can't act -- he's not a sovereign to himself,  
36 he's -- he has to operate within existing legal guidelines.  
37 And if he falls outside of that, then the courts would be able  
38 to pull it back, hold it in.

39  
40 So there are some checks and balances at several steps.  
41 There is a role for the Federal Subsistence Board and for the  
42 Councils. The legal authority, the final say so is still at  
43 the Federal level at the Secretary's level and there's always  
44 judicial challenge, judicial recourse.

45  
46 CHAIRMAN OLSEN: I guess to -- you got my attention  
47 there, Della, on that question there. Certainly it's one that  
48 I hadn't thought of here recently. But you -- let me see if I  
49 hear you right. You're asking what will happen if, let's say,  
50 the YK area fails, and it's pushed down again to here Area M or

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1 so to be the cause, then that is shut down, then what protects  
2 them from their subsistence gatherings, which creates another  
3 failure, which will kind of echo right back down the circle  
4 again. So you understand what the potential there is? If I'm  
5 reading it right. I don't know what.....

6  
7 MR. SMITH: Mr. Chair, yeah, it never fails. If  
8 something wrong goes on up there, like in the papers I saw this  
9 last summer, the first people they blame is like the False Pass  
10 area.

11  
12 MS. TRUMBLE: You see it on TV.

13  
14 MR. SMITH: It never fails.

15  
16 CHAIRMAN OLSEN: It never fails?

17  
18 MR. SMITH: It never fails.

19  
20 MR. GUNDERSON: It never fails.

21  
22 MR. HUFF: There are fishermen and.....

23  
24 MS. HILE: You need to get closer to.....

25  
26 MR. HUFF: .....if they have a failure they blame us.

27  
28 MS. HILE: Mr. Huff, you need to come closer to the  
29 microphone so I can get everything you're saying.

30  
31 MR. HUFF: Those people up there ain't commercial  
32 fishermen and if they have a failure -- failures, we have  
33 failures every year on certain streams, you know, it happens.  
34 It's the way it's happened and it's -- and they don't  
35 understand the failure up there. They're reaching down and  
36 trying to blame us for their failures. They've been  
37 overfishing their stocks for years and the State's been  
38 allowing them to do it. And they're having more failures as a  
39 result of it and they're trying to reach out and stop us, see.

40  
41 They just don't understand our failures.

42  
43 MS. TRUMBLE: They don't take responsibility.

44  
45 MR. HUFF: They don't take responsibility for their own  
46 actions.

47  
48 CHAIRMAN OLSEN: So I try to look at it and see, wow,  
49 it's kind of -- Y K is going to blame Area M, Area M's going to  
50 blame Chignik and Chignik's going to blame Kodiak.

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1 MS. TRUMBLE: No, usually the end -- the buck usually  
2 stops where we are.

3  
4 MR. HUFF: No.

5  
6 MR. GUNDERSON: Well, every side.....

7  
8 MR. SMITH: Everybody blames us.

9  
10 MS. TRUMBLE: We ain't stupid.

11  
12 CHAIRMAN OLSEN: Well, I'm glad to hear that.

13  
14 MR. HUFF: Every system through the years is going to  
15 have a failure or two, you know. Every so often it happens.  
16 Even with the best biologists in the world can't figure out  
17 why.

18  
19 MR. TUTIAKOFF: Was there -- this was an informational  
20 thing, right?

21  
22 MR. BRELSFORD: No action is required. Watch the  
23 newspapers, we'll see what happens on October 1st, whether the  
24 moratorium is back or the Governor's Task Force is making some  
25 headway. There's certainly a lot of activity as we're talking,  
26 continuing discussions by the Governor's Task Force and so on.

27  
28 But this was just so people could have a little bit of  
29 an idea of what would come down the road, some way to evaluate  
30 the news reports day after day.

31  
32 MR. TUTIAKOFF: So my understanding out of all this,  
33 Mr. Chairman, this is Vince, is that this Council will not look  
34 to October 1st to takeover management of the fisheries, right?

35  
36 CHAIRMAN OLSEN: No, just to.....

37  
38 MR. TUTIAKOFF: Okay.

39  
40 CHAIRMAN OLSEN: .....look forward to.....

41  
42 MR. TUTIAKOFF: And that's not our intent and not our  
43 purpose here. Our purpose is the subsistence issues, although  
44 we want to work with individuals or whatever to keep the  
45 commercial interest out here going because that's economically  
46 tied to the subsistence issue. It is out here, and it's  
47 totally different than what's happening at Bristol Bay and the  
48 YK area where they are dependent totally on a river system that  
49 was -- which was mentioned earlier, that totally depleted over  
50 the last 20 years because they did not care to manage it. They

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1 just felt it was going to be there every year, year after year  
2 and they just kind of managed on their own and feed their dogs,  
3 that's basically all they were doing.

4  
5 CHAIRMAN OLSEN: I would imagine that a tier structure  
6 might be applicable to the fisheries then. I mean if the  
7 resource would not handle the load, the first thing would be  
8 commercial to be stopped, then sport, then subsistence.

9  
10 MR. BRELSFORD: Well, in gross terms, the amount of  
11 fish taken for subsistence purposes is something on the order  
12 of one percent.....

13  
14 CHAIRMAN OLSEN: Right.

15  
16 MR. BRELSFORD: .....of the total run. So even if you  
17 double the subsistence fisheries, and I don't think anybody's  
18 arguing that subsistence fisheries aren't -- you know, people  
19 aren't getting their food, a dramatic crises like that, that's  
20 not going to result in a shutdown in the commercial fisheries.  
21 There may be adjustments here and there, but there are  
22 certainly not going to be -- to provide more subsistence fish,  
23 you don't have to eliminate commercial fishing, there's the --  
24 the run species are much more abundant than that.

25  
26 MR. TUTIAKOFF: Yes. But that's the exact point that  
27 YK is attacking. They're saying that they can't get their  
28 fish, then shut down another area so they can get their fish.

29  
30 MS. TRUMBLE: Um-hum.

31  
32 MR. TUTIAKOFF: And that's the argument that they're  
33 making.

34  
35 MR. BRELSFORD: Yeah.

36  
37 MR. TUTIAKOFF: And that's making an economic issue to  
38 our region.

39  
40 MR. BRELSFORD: Right. No, I.....

41  
42 MR. TUTIAKOFF: See what I'm saying?

43  
44 MR. BRELSFORD: .....understand. I guess what I'm kind  
45 of thinking is that we're not going to resolve that debate and  
46 struggle. The implication here is that there's a different  
47 forum.

48  
49 MR. TUTIAKOFF: Right.

50

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1 MR. BRELSFORD: It's going to be in a Federal.....

2  
3 MR. TUTIAKOFF: Some place.

4  
5 MR. BRELSFORD: .....forum perhaps, alongside a State  
6 forum where in the past it was all before the State Board of  
7 Fisheries and so on. This adds the complication of two  
8 channels, a Federal channel and a State channel. But a lot of  
9 the standards, a lot of the scientific data questions, those  
10 are all still the same, whether you're in a Federal forum or a  
11 State forum.

12  
13 CHAIRMAN OLSEN: Okay, well, that 20 minutes only took  
14 40 minutes. So I think we should try to move on unless anybody  
15 else has any other thing that they would like to share here.

16  
17 MS. HILE: Before you move on, Mr. Gunderson, could I  
18 have you move back over here to the table by the microphone,  
19 because I'm having a hard time picking you up.

20  
21 MR. BRELSFORD: We've got Gilda's chair here, too,  
22 Paul, if you just want to slid in.

23  
24 MR. GUNDERSON: Okay.

25  
26 CHAIRMAN OLSEN: Okay, as I look here, annual reports.  
27 Cliff, were you going to give us an update here on the annual  
28 report. It's an issue we've discussed we felt the annual  
29 reports were doing what? I guess that was the question.

30  
31 MR. EDENSHAW: That was the question.

32  
33 MR. TUTIAKOFF: Coming out annually.

34  
35 CHAIRMAN OLSEN: What do they do with the reports?

36  
37 MR. EDENSHAW: What do they do with the reports? Well,  
38 they go through a lengthy process. That's under Tab F, annual  
39 reports. And when the Council met, let's see in February we  
40 were in Kodiak, the Council had an opportunity to review a  
41 final draft of the annual report with concerns they had about  
42 resources in the region in Kodiak and the Aleutian Chain. And  
43 this letter here is dated September 4th, this is a response  
44 from the Chair of the Federal Subsistence Board, Mitch  
45 Demientieff. And we'll go down here in the first one and the  
46 letter is sent to Mark, so Mark should have received this and -  
47 - but the first one here, I think this one goes back to, not  
48 the past meeting in Kodiak, but last year in '96 when we  
49 received a letter from Paul Panamaroff regarding State elk  
50 permits, the process by which they are distributed. And he

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1 requested through the Regional Advisory Council that somehow  
2 the permits being given to one per household instead of, you  
3 know, by an individual basis because he felt that some  
4 households, you know, there may be four or five of them in a  
5 household that may get a permit and in the last seven or 11  
6 years he hadn't received a permit, so he wanted one per  
7 household. But that's under State regulations. And speaking  
8 with Greg Bos in our office, the State wasn't going to address  
9 elk permits until the year 2000. And then further on, we  
10 addressed some of that yesterday when Rachel gave a discussion,  
11 as well as Robert, a proposal for an elk hunt on Afognak Island  
12 on the small portion of Federal public lands.

13  
14 The second portion, number two, we went ahead and  
15 addressed that one yesterday afternoon, regarding the Southern  
16 Alaska Peninsula Caribou Herd. And I think when Tom -- when I  
17 was talking with Tom here yesterday, just to clarify, those  
18 dates are the 17th, the Board.....

19  
20 MR. ELEY: The 17th is the Board meeting.

21  
22 MR. EDENSHAW: The 17th of October the Board will  
23 address Unit 9(D) and the Staff Committee, October 9th. So we  
24 did that one yesterday.

25  
26 Number three, Taylor just went over number three here  
27 this morning, an update on fisheries.

28  
29 Number four, I received a letter from Mark, he faxed me  
30 a copy of an extensive letter that somehow -- we never received  
31 the original Mark. We didn't have the original, I do not  
32 recall ever receiving the original.

33  
34 CHAIRMAN OLSEN: So the original letter?

35  
36 MR. EDENSHAW: Yeah, the original.

37  
38 CHAIRMAN OLSEN: Um.

39  
40 MR. EDENSHAW: All's I have is a faxed version that was  
41 faxed from Kodiak. And so we went through this, the original,  
42 we felt, was -- naturally we assumed that was mailed from your  
43 -- from Kodiak to the Secretary of Interior, and since then we  
44 went ahead and just made a copy of that letter and a cover  
45 letter and my understanding, Taylor, I thought a response was  
46 pending.

47  
48 MR. BRELSFORD: Yeah. I think the letter went to the  
49 Secretary in late summer and we should have a reply very soon.

50



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1 CHAIRMAN OLSEN: I guess I look at that, it's kind of  
2 immaterial now at this point?

3  
4 MR. EDENSHAW: Um-hum.

5  
6 CHAIRMAN OLSEN: I mean is this what we can expect?

7  
8 MR. GUNDERSON: Yeah, I was just wondering about this  
9 process.

10  
11 MR. BRELSFORD: Well, I think it's fair to say we  
12 failed in our responsibility. We misunderstood a faxed copy  
13 from you as being an informational copy and not the action  
14 copy. I think original correspondence, when it comes into our  
15 office to the coordinators, we always understand that means  
16 move it along. We thought you had already done that. And so  
17 not double checking all of that, I mean I think we have to fess  
18 up and take responsibility of that.

19  
20 The heart of the matter, Mark, was that the Council  
21 felt very strongly about moving forward with the subsistence  
22 caribou season in Unit 9(D) and Unit 10. That's actually gone  
23 forward to Council, to refuge manager, everybody's been moving  
24 right along making that work. Making progress in that respect.  
25 So you know, I think we have to -- we owe you an apology about  
26 some of the correspondence breakdown, but on the substance,  
27 providing the subsistence season on caribou, that's moved on  
28 without delay really. We're making a lot of headway in getting  
29 that subsistence season on the ground. So we'll do better on  
30 our letters.

31  
32 You know, maybe a check phone call when we see  
33 something that looks a little odd like that, just to be double  
34 sure. That's the lesson I take from it as far as trying to  
35 keep the administrative side sound. But the resource side, you  
36 guys have kept the issue on the table, the refuge manager, the  
37 Board people have been moving right along towards that opening  
38 that subsistence hunting season.

39  
40 CHAIRMAN OLSEN: Yeah, I just sometimes, it depends on  
41 who you're working with, sometimes a fax is an original and  
42 some don't consider it an original. So therefore, just to  
43 expedient things up, as far as the time frame goes, I use the  
44 fax as a way to transmit faster.

45  
46 MR. BRELSFORD: Yeah.

47  
48 CHAIRMAN OLSEN: So maybe I was wrong.

49  
50 MR. BRELSFORD: I think we both need to double check

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1 when something of that sort comes through. Correspondence with  
2 the Secretary is significant. It is the result of a strong  
3 Council concern, we need to, you know, all be sure it gets to  
4 the right mail drop in Washington.

5  
6 CHAIRMAN OLSEN: I'll put two stamps on it next time.  
7 Carry on, Cliff, please.

8  
9 MR. EDENSHAW: Okay. Number five. I thought back in --  
10 back in Anchorage I spoke, you know, briefly with Tom and I  
11 thought Tom may address this a little bit. This was regarding  
12 migratory birds.

13  
14 MR. ELEY: Sure, I'd be glad to.

15  
16 MR. EDENSHAW: Thank you.

17  
18 MR. ELEY: Let me see if I can remember all this  
19 because we originally had a -- there was originally a reference  
20 to something that was happening that really wasn't and we  
21 didn't want you to be misinformed about the issue. Now,  
22 there's two things that go on here. One has to do with spring  
23 hunting of water fowl, which is not so important to you all,  
24 but in the Interior of Alaska and the North Slope, it's very  
25 important. For spring hunting to transpire will require a  
26 change to the Migratory Bird Treaty Act. And in fact,  
27 yesterday they were having hearings in Washington on those  
28 changes to see if they can bring about a provision to allow  
29 subsistence hunting during the spring closed season, because  
30 the seasons are closed from the 31st of March, basically until  
31 the 1st of September. There's no water fowl hunting permitted.  
32 Which is, in a lot of areas, that's the only time the water  
33 fowl are there.....

34  
35 CHAIRMAN OLSEN: Legally.

36  
37 MR. ELEY: Legally, absolutely. It has been -- it's  
38 gone on, everybody's known it's gone on and the Fish and  
39 Wildlife Service and the State and Park Service and everybody's  
40 basically turned an eye from it and says, as long as it's not  
41 involving airplanes and not involving wanton waste, then go  
42 ahead, you know.

43  
44 CHAIRMAN OLSEN: So be it.

45  
46 MR. ELEY: But we're working on this so that we can  
47 regulate it. There can be seasons and bag limits. People can  
48 hunt legally and that's transpiring, that's underway to make  
49 that happen. And in fact, we're about to have a meeting in  
50 Anchorage to see how rules and regulations would be set, would

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1 they come the Federal Subsistence Board. Would we have some  
2 other organization, you know, some other bureaucracies that  
3 would handle it, you know, how is it going to be done. And  
4 people are thinking that out right now.

5  
6 The other issue concerns several things, one of them is  
7 emperor geese that Paul and I talked about last night. But  
8 that is the winter hunting of water fowl after the season is  
9 closed and particularly, black brandt. That some over winter  
10 in the waters near here and I think some over winter near  
11 Kodiak as well, and there's been some concern, why can't we  
12 hunt them, you know, the season closes. What we have found out  
13 is that you have 107 day season to play with and there's no  
14 reason why that season cannot be divided. You know, 50 days on  
15 one end and 57 days on the other end. And maybe have an early  
16 season that starts the 1st of September, like we do now and  
17 then maybe a late season, in January -- December or January.  
18 Still within the legal time frame of dealing with the Migratory  
19 Bird Treaty Act. But it would have to go to the Flyaway  
20 Council, it'd have to be done in conjunction with the State.

21  
22 As some of you may know, Greg, last year worked with  
23 local people in this area and the State to get the bag limit  
24 for Canada geese raised. And I think it's what now, six or --  
25 yeah, it used to be four. And it'd be the same process, it'd  
26 just be a change of the seasons. You split the black brandt  
27 season, you know, from the 1st of September to the 15th of  
28 October and then the 1st of December to the middle of January  
29 or something like that. That's entirely possible. And if  
30 people want that, I would encourage them to get with Greg and  
31 have him help them run that through the Flyaway system and the  
32 State just like we did with the Canada goose proposal. So it's  
33 certainly possible.

34  
35 The problem is that that's not spring hunting and some  
36 people have called it spring hunting. And once it has the  
37 nomenclature of spring hunting, then it throws it into another  
38 whole ball park, and really it's not. And it is something that  
39 can be accommodated now. So if late winter hunting is really  
40 important to people, then work with Greg, he'll help get the  
41 process started and away we go.

42  
43 Now, the hunting of emperor geese. Emperor geese, some  
44 people have contended are not migratory birds, although they do  
45 go on a small migration. They are covered by the Migratory  
46 Bird Treaty Act, therefore, they are migratory birds. All the  
47 geese are considered migratory birds as are the ducks.

48  
49 CHAIRMAN OLSEN: Sea gulls.

50

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1 MR. ELEY: The populations are very low in emperor  
2 geese and the possibility of getting the season opened is  
3 getting better every year, but the population -- the biologists  
4 still feel that the population is too low to have a hunting  
5 season. But that would be the same thing, a person could  
6 propose to the State to have, you know, and ultimately to the  
7 Flyaway Commission who set the rules and regulations to have a  
8 season. But everybody, I think, all the biologists are sort of  
9 in agreement right now that the population is still low. And  
10 hopefully sometime in the future that it can be opened back up  
11 again.

12  
13 CHAIRMAN OLSEN: I would just like to, while we are  
14 discussing birds, Marvin Huff, you brought to my attention here  
15 the fluctuation of the counts and where it effects you for  
16 three years. Could you kind of give us all an idea of how you  
17 see that and how it effects you.

18  
19 MR. HUFF: Mr. Chairman, my name is Marvin Huff. Two  
20 years ago they told us the population of the emperors was  
21 around 85,000. Last year it was 86. This year, well, while I  
22 was out in Anchorage, they told me it was 55. It's impossible.  
23 If the population -- we were told that if the population was  
24 81,000 for three years, they'd open the season. So now it's  
25 going to be three more years. I don't -- I don't buy that  
26 55,000 at all.

27  
28 I was talking to local residents up in Nelson's Lagoon  
29 and they say they have never, ever seen so many emperor's, ever  
30 in their life.

31  
32 CHAIRMAN OLSEN: So here, again, I wonder, are we happy  
33 with the results of the survey?

34  
35 MR. HUFF: No, we're not.

36  
37 CHAIRMAN OLSEN: Because I think it's important for it  
38 to be on the record. Al you start it first here.

39  
40 MR. CRATTY: Yeah, I got a question for Tom. You say  
41 the biologists say they feel there ain't enough birds to have a  
42 season, are they talking commercial or are we talking  
43 subsistence?

44  
45 MR. ELEY: Any season.

46  
47 MR. CRATTY: Well.....

48  
49 CHAIRMAN OLSEN: Here again.....

50

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1 MR. ELEY: There's no commercial use of water fowl. I  
2 mean there's sport hunting.

3  
4 CHAIRMAN OLSEN: Right.

5  
6 MR. ELEY: And you know, there's only -- actually right  
7 now there's only one set of regulation, The Water Fowl  
8 Regulations and they apply to everybody whether you're a  
9 subsistence user or.....

10  
11 MR. CRATTY: Well, you know, if they're waiting for  
12 commercial, they should look at the fact that it's subsistence.

13  
14 MR. TUTIAKOFF: Well, subsistence should come first.

15  
16 MR. CRATTY: Yeah.

17  
18 CHAIRMAN OLSEN: In other words, you're looking at  
19 sport as a basic commercial entity?

20  
21 MR. CRATTY: Well, he said the biologists said there  
22 ain't enough birds to have a season when we're looking for a  
23 subsistence, not a commercial.

24  
25 CHAIRMAN OLSEN: Here again, without the absence of no  
26 subsistence management plan here, again, that puts us in a real  
27 bad situation and the underdog, if you will.

28  
29 MR. ELEY: There is a management plan for the emperor  
30 goose.

31  
32 CHAIRMAN OLSEN: Subsistence?

33  
34 MR. ELEY: It's called a recovery plan. I don't know  
35 the particulars of it.

36  
37 CHAIRMAN OLSEN: Right.

38  
39 MR. ELEY: I don't work with water fowl very much. But  
40 there is a recovery plan. And I don't know if that's where it  
41 states the thresholds for populations for hunting and these  
42 sorts of things, but I can't tell you off the top of my head.  
43 I wouldn't want to give you incorrect information. But there  
44 is a recovery plan and it's been a long time since I've looked  
45 at it and I can't remember how it deals with subsistence, if it  
46 deals with it any different than the sport hunting. Once the  
47 amendments are passed, I think that allows spring hunting. I  
48 think that the whole subsistence use of water fowl will be  
49 looked at and I think it's going to take a different course  
50 than it has in the past. I think the subsistence will have

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1 more of a -- I don't want to say a priority, but it's going to  
2 have a higher view within the biologist's realm than it does  
3 now because we can look at it in total then. Because you know,  
4 right now, the only subsistence we could look at is in the  
5 winter time which is when the seasons are open for everybody.  
6 But if we could deal with the whole year of the water fowl, if  
7 you will, we can deal with the spring seasons where they need  
8 them, the winter seasons where they need them. It's going to  
9 make much more sense than trying to, you know, deal with it as  
10 a sport. But I think when the treaty amendments are passed,  
11 we'll see a very different view of water fowl in the State.

12  
13 CHAIRMAN OLSEN: So I could -- it'd be fair to say then  
14 that the existing regulations are pertaining to sport, since  
15 that's the -- was the only harvesting -- subsistence was not a  
16 part of it then, that has to be the only direction that they  
17 are looking at?

18  
19 MR. ELEY: The existing regulations pertain to  
20 everybody. They don't differentiate subsistence user from the  
21 non-subsistence user. That's a fair comment.

22  
23 CHAIRMAN OLSEN: Just a minute, Marvin, I had Vincent  
24 here next.

25  
26 MR. TUTIAKOFF: On the emperors -- the count is made  
27 now and I was going to ask, is the count made by the State, is  
28 that what you're talking about, that we don't agree with?

29  
30 MR. ELEY: No, State and Federal government do the  
31 counts.

32  
33 MR. TUTIAKOFF: They do the counts together or they --  
34 one goes one direction and the other goes the other?

35  
36 MR. ELEY: You know, I can't remember. I know the  
37 Federal government does most of them on the Yukon Delta and the  
38 nesting grounds, but I can't remember the other details of it.  
39 And I don't want to lead you too far astray on it.

40  
41 MR. TUTIAKOFF: No. I was talking with some of these  
42 people that utilize the spring, what they call the gathering in  
43 the Yukon area, and it kind of upsets me that they allow egg  
44 gathering and allowing the catch of these animals that can't  
45 even fly, basically they herd them into pens and they slaughter  
46 them and then they get the food. That's happening here in the  
47 spring. And we have here -- when we see them in the winter,  
48 which is the only time we see them, we're not allowed to shoot  
49 them, not allowed to -- you know, if you even look at them or  
50 caught looking at them, you may be arrested, you know.

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1 MR. CRATTY: Winking.

2

3 MR. TUTIAKOFF: But out on the Chain, from Adak -- and  
4 I was out on Adak for the last two winters, I've seen an  
5 increase in the emperor and the brandts. And what you're  
6 talking about the recovery program for -- that they have in  
7 place, basically all it is is get rid of the rats and foxes on  
8 every island that's inhabited by a bird, that includes the  
9 emperors -- or they target basically the emperor where they are  
10 in the winter time. And there's some islands out there, the  
11 Bogoslof and the Little Sitka that have nesting areas, they do  
12 nest out there during the summer, spring months.

13

14 But that's the only program they have, and that's too  
15 radicate the fox and the rats off these islands. They've got  
16 30 or 40 people out there all summer just doing that. And at  
17 the same time, they are doing a count. But they have been  
18 increasing in the last couple of years. My point is, why did  
19 they allow it to have happen in the Yukon, what they call a  
20 subsistence hunt and, you know, when they're the most  
21 vulnerable? Their eggs are there and they're sitting on the  
22 tundra and they're just chasing and slaughtering them  
23 basically, and this has been going on for years. And that  
24 could be the cause of why they declined over the -- because of  
25 the increase, the mode, the transportation to get to these  
26 areas has become -- rather than by foot, it's four-wheeler and  
27 tundra tracs and everything else. They've got the trailers  
28 behind them and they're hauling them out of there. You know,  
29 that, I think has got to be looked at and make them go by foot.  
30 And you'll see less of a gathering happening there.

31

32 And the Migratory Bird Act, you know, they asked us,  
33 you know, the Aleut Corporation if we were interested in that  
34 particular amendment, which would be to bring a spring hunt in  
35 the Aleutians and we told them, yes, we are. And what's that,  
36 Eluska, on the RuralCap board there.

37

38 CHAIRMAN OLSEN: Um-hum.

39

40 MR. TUTIAKOFF: I talked with him and told him that we  
41 are interested in the Kodiak and Aleutian Regional type board  
42 that we are interested in a spring hunt out here and see what  
43 you can to get us included, if not by participation in their  
44 meetings, but just put our name in there, add our name there to  
45 that list of communities, and hopefully that's happened, and  
46 we're going to hear shortly I guess.

47

48 CHAIRMAN OLSEN: That's work for a RuralCap. Melvin,  
49 did I see you earlier?

50

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1 MR. CRATTY: Marvin.

2

3 CHAIRMAN OLSEN: Oh, I seen one hand over here first  
4 and then Marvin I'll take you.

5

6 MR. GUNDERSON: I was listening to Marvin's numbers and  
7 a little bit on the emperor geese, there's been an ongoing  
8 study in Nelson Lagoon for the last -- probably for about 12 to  
9 14 years. And it's headed up by U.S. Fish and Wildlife. And  
10 they -- as a matter-of-fact, there was a six party team that  
11 just left there last week. They've been there for several  
12 weeks and they do a count and everything, every year look at  
13 the survival rate and everything else. And the numbers that I  
14 get from them guys -- for people that are actually out there in  
15 the field is anywhere's from 104 to 110,000. And then  
16 someplace, by the time the message got there to Anchorage, they  
17 lost 30,000 someplace, you know, so it's a big discrepancy.....

18

19 MR. TUTIAKOFF: Maybe it's an allocation.

20

21 MR. GUNDERSON: .....in the numbers there.

22

23 MR. TUTIAKOFF: Maybe it's an allocation that they're  
24 looking at a percentage.

25

26 CHAIRMAN OLSEN: Tom, did you have something to add to  
27 that question?

28

29 MR. ELEY: I was just going to say that, you know, we  
30 could spend a lot of time talking about emperor geese and  
31 they're really interesting birds. If this is something that  
32 interests the Regional Council, the best thing to do and I  
33 think Cliff and I could probably arrange it, is at your next  
34 meeting get somebody from Migratory Birds out here that can  
35 really speak to them specifically. And have them, Minnie Hogan  
36 or someone like that that could -- and by then the amendments  
37 will theoretically be passed and we could probably give you a  
38 better briefing on what's going on and have someone that could  
39 really answer emperor goose questions, rather than sort of  
40 speculate like I am and other people.

41

42 CHAIRMAN OLSEN: Yes. At this point I would so  
43 recommend. I would also -- hopefully they can give us the  
44 knowledge on how the surveys are conducted.

45

46 MR. ELEY: They will do that, you bettcha.

47

48 CHAIRMAN OLSEN: I've got a couple here yet. Marvin  
49 Mack, please.

50



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1 MR. MACK: Yeah, my name's Marvin Mack, King Cove, Tom -  
2 - I just want to know, you know, Vince you have real good input  
3 on, you know, I agree with what Vince says and Tom, you know.  
4 And the only thing that bothers me, the question comes up, go  
5 back and educate your village, you know, and that there was  
6 told to me by a refuge manager here.

7  
8 MR. ELEY: Um-hum.

9  
10 MR. MACK: Because they say, we don't abide by the  
11 rules. Well, if you take the Migratory Bird Act, then birds go  
12 in one big circle all the way to Mexico and stuff. And then  
13 you start killing them down there, they go up north, spring  
14 hunt, turn your face, stuff, now, here it is our season it's  
15 the only time we get to hunt them. Spring hunt, we get nailed  
16 because we're just a few people, you know. And I can  
17 understand it, and it really -- and when I get nailed, I pay  
18 fines, believe me, you know, because of this. And I -- and it  
19 is a problem, and there's a lot of people upset. And then  
20 after I pay my fine and they tell me to go back to King Cove  
21 and educate the people there because we're a bunch of  
22 slaughters or whatever, but there has definitely got to be  
23 something done and there's got to be people come out.

24  
25 And like I say, you know, with what's happening and the  
26 letters are not sent or whatever, inform the people, inform us.  
27 I mean we'd like to see and hear more instead of just coming up  
28 here and getting nailed. In Cold Bay, of course, Cold Bay is  
29 the biggest hunting place in the world because of the refuge  
30 and we're fighting because of the refuge. You know, we can't  
31 get a road because of the refuge. We come up here hunting  
32 we're targeted. We feel we're targeted because of the spring  
33 hunt which is allowed up north, the gathering of eggs and stuff  
34 because they're subsistence and we don't have subsistence down  
35 here. You're treating us like just another hunter, you know, I  
36 mean we have to pay duck stamps and stuff. I'd like to see how  
37 many duck stamps and stuff they sell up north for them people  
38 in their spring hunts. But we have to pay. It cost me \$50 to  
39 go out hunting, just to get my license, my two duck stamps, and  
40 I'm a Native. And it's upsetting, you know. And then they  
41 tell me I got to go back to King Cove and tell -- you know,  
42 they're not my people, they're my relatives and everybody, what  
43 I got to go back and educate them because -- just so I can come  
44 hunt in Cold Bay on the refuge that I was raised and born in,  
45 and the people in King Cove been raised and born in and we got  
46 to come and face this here issue, it's hard to swallow.

47  
48 And I know you people got a real hard job ahead of you,  
49 and I appreciate what you're doing. Just count us in the rest  
50 of Alaska. Thank you.

0180

1 CHAIRMAN OLSEN: Thank you, Marvin. Marvin Huff,  
2 please, next.

3  
4 MR. HUFF: While we're on subsistence, we have never  
5 had a subsistence goose hunt up here of any kind. Was never  
6 allowed to, and I really think we should be able to. What  
7 we've always done all our lives is we've come up, either here  
8 or Morzhovi Bay or someplace and we get 30 or 40 birds. We  
9 might get them in one night, we're home, we're done. We share  
10 with the other people. And it's just not cost effective for us  
11 to come up from King Cove to come to Cold Bay, spend four or  
12 500 for 12 or 16 birds and go back home. You know, it's not --  
13 the economics ain't there.

14  
15 What we usually do is come up -- we used to for years  
16 and years, all my life, come up and get 30 or 40 birds, we're  
17 done. And if we do that now, we're arrested. They started  
18 that about eight years ago. So we have never, ever been  
19 allowed to subsistence hunt on geese. And we don't do our  
20 geese hunting in the spring, we do it in the fall. We don't  
21 have them in spring, except a few brandts. So I'd really like  
22 to see that put in where we could come up and we could afford  
23 to go hunting. You know, we don't have the thousands of  
24 dollars to spend or throw away. If I had five -- \$1,000 I'd  
25 probably have to buy meat because 12 birds don't quite cut it  
26 or 16 or whatever you're allowed.

27  
28 Thank you.

29  
30 CHAIRMAN OLSEN: Thank you. Just to address that, I  
31 would say that even though they're under the Migratory Bird Act  
32 and we do not have a subsistence season hunt, I think it'd be  
33 very useful for both you and Marvin to draft a letter, an  
34 original, that we can utilize as a complaint, if you will.

35  
36 Della, you've been patiently waiting, too.

37  
38 MS. TRUMBLE: I was curious, Marvin gave those figures,  
39 you know, in the 85 and 86,000 and then they say they went down  
40 to 55,000, Paul says, you know, they estimate 105,000, what can  
41 be done to that survey at this point?

42  
43 CHAIRMAN OLSEN: I don't know. I was hoping in looking  
44 at the -- we were totally unhappy with the survey process that  
45 they used on the caribou. I think it's fair for us to look at  
46 what they use for the count and how they developed that count  
47 to see if we have some important input that might not be found,  
48 such as we have with the caribou herd. That's my thought.

49  
50 I believe -- yes, Melvin, you were next.

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1 MR. SMITH: Yeah, what I was going to say was like you  
2 said earlier, maybe we ought to have the guys who do the survey  
3 at our next meeting, you know, so we can get the numbers on  
4 record or whatever so we know. Or maybe have some of the guys  
5 that do the survey come to our meeting.

6  
7 MS. TRUMBLE: That was another question I had. I don't  
8 know if I was talking to Greg or somebody yesterday, is if  
9 these communities can get at least some kind of outline on how  
10 these surveys are being done because they know a lot more of  
11 where these resources are than the people that are doing these  
12 surveys. And they should be able to look at how this process  
13 is and be able to give their input because, what's happening  
14 now is only directly hurting them, hurting us.

15  
16 CHAIRMAN OLSEN: That's what I would hope would be the  
17 end result, working together on that might bring some more  
18 recognition and more information to both sides. Vince.

19  
20 MR. TUTIAKOFF: Well, I guess my question is, on the  
21 goose hunt here in Izembek, there is no subsistence, right?

22  
23 MR. ELEY: That's correct.

24  
25 MR. TUTIAKOFF: What would it take to get subsistence  
26 priority over the hunting that's going on here now so that the  
27 communities don't have to sit back and when the threshold limit  
28 goes down, say five years from now then everybody -- you know,  
29 the communities are the first ones to be shut down. That's the  
30 way historically things go. So they can get the big game  
31 hunters out here and the big names out here to do -- take a  
32 shot and a picture of them getting a goose, I mean, at the  
33 expense of two or 3,000 Aleuts. I mean is there a way that we  
34 can -- if we have to start a C&T or what is it we have to do to  
35 get subsistence as a priority in the goose hunting out here?

36  
37 CHAIRMAN OLSEN: Well, I believe the first step has  
38 been taken, correct me if I'm wrong, is that's what the  
39 gathering was of the Migratory Bird Treaty to address this  
40 subsistence to which the President just recently did sign, but  
41 yet has to be concurred with by Congress. I believe them are  
42 the steps that are being taken as we speak so we can go ahead  
43 and bring some new ideas to the issue.

44  
45 MR. TUTIAKOFF: Wouldn't some kind of action by this  
46 Council to the Board to reinforce that issue rather than, you  
47 know, wait for it to -- for a yes or no. I mean from this  
48 Council is where it starts, from community input and then it  
49 moves up the chain until it gets some kind of level of  
50 priority. I mean this is going to take three to four years,

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1 but if we wait for that word to come down, which may be a year  
2 from now. I mean even if they're meeting now doesn't mean  
3 they're making a decision. What I'm saying is we have to  
4 institute some sort of action that we are concerned and that we  
5 would like to see it happen. I mean we got to start someplace.

6  
7 CHAIRMAN OLSEN: I guess we could only address it as a  
8 concern that's been brought back to us as it is under the  
9 Migratory Bird Act and out of our jurisdiction.

10  
11 MR. EDENSHAW: The jurisdiction.

12  
13 CHAIRMAN OLSEN: But I am hopeful that the.....

14  
15 MR. TUTIAKOFF: That doesn't mean we can't.....

16  
17 CHAIRMAN OLSEN: .....testimonies like this.....

18  
19 MR. CRATTY: Make a motion.

20  
21 CHAIRMAN OLSEN: .....and you know, it's out of our  
22 frame work, I guess is what I'm saying, Vince.

23  
24 MR. TUTIAKOFF: But that doesn't mean that we can't  
25 address it as.....

26  
27 CHAIRMAN OLSEN: Right. But I feel that.....

28  
29 MR. TUTIAKOFF: .....a Council.

30  
31 CHAIRMAN OLSEN: .....these letters from folks that are  
32 out here living it would be the most highest support. Shed  
33 some light you look like you're dancing to share some  
34 information.

35  
36 MR. BRELSFORD: I think you've made the point that  
37 Title VIII of ANILCA does not include migratory birds or marine  
38 mammals, so the Federal Subsistence Board has no direct  
39 regulatory jurisdiction on these species.

40  
41 MR. TUTIAKOFF: Amend ANILCA or add it.

42  
43 MR. BRELSFORD: Okay, I'm betting on you Vince.

44  
45 MR. ELEY: One of the thoughts that you.....

46  
47 MR. BRELSFORD: But you can.....

48  
49 MR. ELEY: .....bring them under when we -- if in fact,  
50 the amendments pass, one of the thoughts is to bring the

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1 regulation process through you folks.

2  
3 MR. TUTIAKOFF: Right.

4  
5 MR. ELEY: So you would have an opportunity. You could  
6 set seasons that would be subsistence seasons, maybe before the  
7 normal seasons start now.

8  
9 MR. TUTIAKOFF: Well, that's what I'm asking, can that  
10 happen?

11  
12 MR. ELEY: That would be a possibility -- that  
13 certainly would be a possibility if the amendments are passed.

14  
15 MR. BRELSFORD: So the primary channel here is the  
16 amendments to the Migratory Bird Treaty Act.

17  
18 CHAIRMAN OLSEN: Sure.

19  
20 MR. BRELSFORD: That's the legislation, that's the  
21 statutory basis. You guys want to be players in that. You  
22 want to have a role in that. There are several ways to go  
23 about that, Mark, individual letters from communities with  
24 their concerns is one way. You guys have the annual report,  
25 which is directed to the Board and you have the opportunity to  
26 speak on any subsistence related question, not just the ones  
27 directly under the Federal Subsistence Board's jurisdiction.  
28 So like next year's report, you could continue to be more  
29 specific about what the problems are for migratory bird  
30 hunting, subsistence traditions in the Aleut region. I think a  
31 lot of the testimony that's been given here today is far more  
32 pointed, more detailed than the things that have been in your  
33 annual report in previous years. So I would suggest that the  
34 annual report is another avenue to try and get this concern  
35 before the Federal Board and forwarded on to the teams working  
36 on implementation of the.....

37  
38 MR. ELEY: And there are Alaska Natives that are on the  
39 team working on the amendment. Myron Naneng up in Bethel is  
40 one.

41  
42 MR. BRELSFORD: David Eluska from Kodiak.....

43  
44 CHAIRMAN OLSEN: Right.

45  
46 MR. BRELSFORD: .....is on that.

47  
48 MR. ELEY: Yes, is another one. Jonathan Solomon from  
49 up in the Interior. So I would contact these individuals as  
50 well. I mean they're sort of your lobbyist, if you will.

1           CHAIRMAN OLSEN: I would say that this was one of the  
2 concerns and why we asked what our annual report's doing for  
3 us. We were upset that we weren't getting a response to the  
4 annual report. But of course, the first time that we did bring  
5 this up in the annual report, just to give you what the  
6 response was, it was out of our jurisdiction. But we have  
7 made, I feel, when I look at this, this is moving a lot faster  
8 than I had ever expected even though not speedy to my desire.  
9 But it is moving well, I feel. Al.

10  
11           MR. CRATTY: Well, when you're talking in these areas  
12 here too, let's include Kodiak. Because the emperor geese is a  
13 subsistence matter there, too.

14  
15           CHAIRMAN OLSEN: Marvin Huff, please.

16  
17           MR. HUFF: I've read this deal that the President has  
18 so called signed. But it mentions the Aleuts in there, but  
19 once again, we're left out because they're mostly just talking  
20 about a spring hunt. We don't get the spring hunt, we get a  
21 fall hunt.

22  
23           CHAIRMAN OLSEN: These are the important issues, I feel  
24 that.....

25  
26           MR. HUFF: Yeah.

27  
28           CHAIRMAN OLSEN: .....you could highlight for us.

29  
30           MR. HUFF: So all that legislation does is it leaves us  
31 out once again. You know, we don't want the birds in the  
32 spring time really, we want them now while they're good eating.  
33 And this is how -- the way we've been getting them for  
34 thousands of years.

35  
36           CHAIRMAN OLSEN: This is when I say, you know, letters  
37 to us, these are the kind of detail I'm hoping to see in these  
38 letters so that we can back you on these issues, whatever they  
39 may be.

40  
41           MR. EDENSHAW: I think to move things along, just as  
42 Tom suggested, I think it's not out of the question for the  
43 Council though, I think you were talking -- some of the others  
44 were talking about having a meeting in Anchorage, but I think  
45 it would be very helpful -- really good just to have someone  
46 from Migratory Birds speak. Because you know, we're hearing  
47 some, I think, some good information from the people here and  
48 it's just going to get all lost up and jumbled. And if we were  
49 to have a working session with the Council members here and the  
50 other public from the region who were in Anchorage, if that's

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1 where we're going to meet, then we'd be able to sit down and  
2 write these things out on our flip chart if we had a working  
3 session with Migratory Birds and the Council would get  
4 educated, you know, what's this process. Because just as  
5 Vincent says, when this proposal came through in the annual  
6 report, I did some digging through myself about the Migratory  
7 Bird Treaty Act, and it's a very lengthy process, but with -- I  
8 think with the information that the Council members are  
9 presenting here this morning, I think that's one way to, you  
10 know, get the ball going. Because just as Vince said, it's a  
11 lengthy process. But, you know, with us sitting here and  
12 talking about the census, seasons, bag limits, I think  
13 something like that could be ironed out with Mimi or with some  
14 other individual who works with her in Migratory Birds, in the  
15 regional office in Anchorage.

16  
17 MR. ELEY: And knowing the people that work in  
18 Migratory Birds, they're not going to disregard information  
19 provided by local people. They have a lot of respect for it  
20 and appreciate it.

21  
22 MR. GUNDERSON: There are two names with the Fed  
23 department, that's Bob Gill, who has been the head of this  
24 program for all these number of years and a guy that does the  
25 actual field work is Paul Finch, and they're with the Fed  
26 division out of Anchorage. They would be the bird experts, I  
27 would imagine on the emperor geese department.

28  
29 MR. ELEY: We'll figure out who they are and have them  
30 all there or as many as we can, you bet.

31  
32 MR. GUNDERSON: Yeah. They're a good group of people,  
33 I've worked with them.

34  
35 MR. ELEY: Yeah, you were telling me last night.

36  
37 MR. GUNDERSON: I've talked with them quite a bit.

38  
39 CHAIRMAN OLSEN: Robert.

40  
41 MR. STOVALL: I'm just curious, maybe this should go to  
42 Taylor, but can the Council make recommendations to the Flyaway  
43 Council about changing seasons and bags?

44  
45 MR. ELEY: To the State. It has to go to the State.

46  
47 MR. EDENSHAW: To the State.

48  
49 MR. STOVALL: To the State?

50

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1 MR. ELEY: Certainly they could.

2

3 MR. STOVALL: Okay.

4

5 MR. ELEY: I mean anybody can. I mean you can take a  
6 proposal to the State, the State then forwards it on to the  
7 Flyaway Commission. It's not an impossible process. But if  
8 you get the refuge involved with it, that's going to be another  
9 ali to help you get it through the bureaucratic maze. And  
10 that's what happened here with Greg working with the Canada  
11 goose, was that he helped get over some of the blocks -- blocks  
12 that are there and the difficulties that are there.

13

14 I think you will find that the people on the refuges,  
15 in general, the people at Fish and Wildlife Service, are not  
16 going to be obstructionists to it, you know, they're willing to  
17 listen to local people and what they have to say about  
18 resources and appreciate the local knowledge. And they'll do  
19 what they can and then point out when you can't do it. Some  
20 things are just not going to happen, and I think we need to be  
21 honest to people, too, and say, you know, the chances of  
22 killing grizzly bear are probably zero. So work with the local  
23 refuge folks.

24

25 CHAIRMAN OLSEN: On that issue here, you can certainly  
26 take this a lot of distance and time, but it still has to go  
27 through process. Therefore, I feel that we have requested then  
28 at the next meeting to have representation from the Migratory  
29 Birds, that we might be able to hold a good discussion and have  
30 some kind of outcome of action with them. So with that, I'm  
31 going to conclude the bird, geese hunting.

32

33 And to try to move on to -- I believe we got the Task  
34 Force and Subsistence Board restructure.

35

36 MR. BRELSFORD: I'm going to maybe cut that one a  
37 little short, Mark, because of the priority of the time.

38

39 CHAIRMAN OLSEN: Please do.

40

41 MR. BRELSFORD: And I guess on that annual report, if  
42 you guys have some additional input to Cliff in preparing that  
43 report, additional input could be forwarded to Cliff between  
44 now and the winter meeting and then he could come back to you  
45 with a draft.

46

47 CHAIRMAN OLSEN: Originals.

48

49 MR. BRELSFORD: Originals, that's right, man. Cliff is  
50 like a secretary, he doesn't deal with less than originals.



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1 CHAIRMAN OLSEN: Now, that's original.

2

3 MR. BRELSFORD: Just to kind of get this started, the  
4 Regional Councils -- two Regional Councils in the northern part  
5 of the State and all of the Regional Council Chairs have  
6 forwarded some suggestions that the Federal Subsistence Board  
7 be changed to have more subsistence user representation on the  
8 Board level, the final decision making level. So that's kind  
9 of the beginning of this, what started this ball rolling.

10

11 Most recently, this was an item taken up by Mark and  
12 the other Regional Council Chairs in a work session with the  
13 Federal Subsistence Board in April of this year, April 7th,  
14 1997. From that there was an agreement to convene a task force  
15 that would kind of work out the details of this and you'll see  
16 that the task force includes the Chairman, Mitch Demientieff, a  
17 Council Chair from Southeast, Bill Thomas and then two Board  
18 members, Jim Caplan from the Forest Service and Dave Allen from  
19 the Fish and Wildlife, and they wanted to look at the legal  
20 obstacles or frame work and options. They were going to be a  
21 task force that would gather information and then put it out  
22 for further discussion. So that's what I'm offering to you  
23 today, is kind of the status to date of the task force's work  
24 on restructuring.

25

26 In this meeting, they emphasized a couple of things. I  
27 think many of the Council members realize that Regional  
28 Councils like this come under a Federal law called the Federal  
29 Advisory Committee Act, and like the authorities and decision  
30 making responsibilities and public notice standards, all that  
31 kind of stuff is established in this Federal Advisory Committee  
32 Act, so they wanted to kind of take that into account. And  
33 then they actually did some research on alternative wildlife  
34 management board structures in Canada and other species groups  
35 in Alaska and so on. They felt they had to work within two key  
36 constraints. One, is that Federal law requires that rules,  
37 regulations be made by Federal employees. The government  
38 cannot delegate to non-Federal employees, final decision making  
39 authority or regulatory authority. So some work around would  
40 have to be developed in order for volunteers, not employees to  
41 serve on the Board itself. And this has been done so far in  
42 one case, the Chairman of the Board is a non-Federal employee,  
43 Mitch Demientieff and Willy Hensley before him, they don't work  
44 full-time for the Federal government and what they did as a  
45 compromise was to make them intermittent Federal employees. So  
46 that during the time that Mitch serves as the Board chairman,  
47 he is on payroll as a Federal employee for that time. That's  
48 the way that this delegation of authority problem could be  
49 worked around, but it becomes much more significant as you add  
50 more and more people to the Federal Subsistence Board. I guess

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1 Mitch was pretty concerned that if he -- he wanted to be sure  
2 the Councils understood that making too much of a -- reaching  
3 too far in having non-employees working on the Board as the  
4 regulatory decision makers would raise a political ruckus and  
5 it could result in the whole thing kind of being put down and  
6 the Board could become advisory as a consequence rather than  
7 being the final decision maker. so the point only is that  
8 delegation of regulatory authority is a pretty sensitive matter  
9 in the Federal government and Mitch wanted to be sure that the  
10 alternatives to the Board structure don't make more trouble  
11 than benefit.

12

13 CHAIRMAN OLSEN: One second here. You know, that's the  
14 whole key thing here is to have to be a Federal employee to be  
15 able to pass regulation?

16

17 MR. BRELSFORD: Right.

18

19 CHAIRMAN OLSEN: I mean that's kind of backwards, they  
20 say in Russia, shleper (ph), they're doing things backwards.  
21 This is supposed to be grassroots, this is supposed to be the  
22 decision of the people and input from the people.

23

24 I think if we look at this there has got to be  
25 alternative ways that can be handled. I think they're taking  
26 the wrong approach on that. And I guess I must say that when  
27 we, as chairs of all the Councils recognize these issues, we  
28 got together as the Council chairs and we were told we could  
29 not be recognized and couldn't hold our meetings. But I see at  
30 this point they are addressing us, so we are melding into the  
31 system, I guess. To what extent is yet to be determined, I am  
32 aware of that. So I just wanted to bring up that I don't know  
33 how anybody else would feel about that, if only Federal  
34 employees, doggone it, I pay taxes, doesn't that make me a  
35 Federal employee?

36

37 MR. BRELSFORD: Let me show you the alternatives, then  
38 lets get the input on the whole package. What this task force  
39 came up with was three alternatives, one is like no action,  
40 leave it as it is. The other would be to add one Regional  
41 Council Chair nominated from among the 10 Council Chairs. And  
42 this is actually -- the second one is actually the alternative  
43 that the Council Chairs asked for in April of '97. That was  
44 like their motion to the Board. The last one would be the  
45 existing Board plus one subsistence user and one more  
46 representative nominated by the Governor so that the State and  
47 Fed -- there would be some direct representation of the State  
48 system on the Federal Subsistence Board. Those are the three  
49 alternatives that the Task Force came up with. And to a large  
50 extent those constraints, that I mentioned a second ago kind of

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1 narrowed the range of options that the Task Force had.

2

3 The next step from here is the Regional Councils are  
4 being asked to comment on this question, so we'd like your  
5 input and we could mark it up on a flip-chart and have that go  
6 forward from all 10 Councils, feedback, to the Task Force. The  
7 Task Force will meet again to take into consideration the  
8 comments, the discussion about these options. And then finally  
9 the Task Force will make a recommendation to the Board. I  
10 guess the Task Force wants us to be sure and say they will not  
11 make recommendations that would be detrimental. They want to  
12 have something that's a constructive change, not one that's  
13 going to run a lot of political risks or weaken the role of the  
14 subsistence users down the road. So that's the pitch.

15

16 Now, if we could get your comments and analysis or  
17 questions about those three alternatives, we can pass that on  
18 to the Task Force for additional work.

19

20 CHAIRMAN OLSEN: So real quickly.....

21

22 MR. CRATTY: But the alternatives back on there.

23

24 MR. BRELSFORD: Yeah, let me leave that one up for.....

25

26 CHAIRMAN OLSEN: I'd like to give a quick overview how  
27 this even transpired and what brang (sic) this to the action to  
28 where we are. Number one, as we looked at the -- how effective  
29 and the process was working for us with the Board, we found the  
30 lion's share of our time, unfortunately, was in discussion and  
31 for lack of a better term, educating the Federal Board of the  
32 what's, when's, why's, how do we use it, you know, the many  
33 different reasons of the seasons and things of this nature to  
34 try to get some of our requests passed. But we were not being  
35 focused on that because we had to spend way to much time  
36 explaining what problems were created, such as times of the  
37 season and -- no input basically. Also then we looked at the  
38 structure of the Board as it was originally set out to be and  
39 it addressed that also as the Board shall be of rural residents  
40 with first hand knowledge of the resource. By identifying and  
41 saying that, we thought this might enhance a lot of unnecessary  
42 time spent at the Board level between the Councils and the  
43 Board.

44

45 So that is what kind of pushed us into, we need to see  
46 a restructure. I don't know if I consider it a restructure  
47 when originally there was supposed to be the structure of rural  
48 residents with firsthand knowledge.

49

50 MR. BRELSFORD: That's not right, Mark. Councils --

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1 what you describe is the statutory provisions about Councils.

2

3 CHAIRMAN OLSEN: I know that's.....

4

5 MR. BRELSFORD: That's not so in regard to the Board.

6

7 CHAIRMAN OLSEN: Well, I will just have to bring you  
8 the booklet that we used.....

9

10 MR. BRELSFORD: Sure.

11

12 CHAIRMAN OLSEN: .....to bring that issue again  
13 identifying the process of the startup of it until a time that  
14 is reached. I just want to share with you how we as 10 Council  
15 Chairs addressed it and understanding that side, and it did  
16 take some information digging, without a doubt. So anyway,  
17 that's what brought us to the start of the Council Chairs and  
18 we just had an explanation where we are at.

19

20 Vince, yes.

21

22 MR. TUTIAKOFF: Well, what is the criteria for a  
23 Federal Board member? I mean I see the list here. Were those  
24 mandated through ANILCA or were they through a separate act?

25

26 MR. BRELSFORD: It's in the regulations implementing  
27 Title VIII.

28

29 MR. TUTIAKOFF: Well, the reason I'm asking is, we seem  
30 -- the whole thing came about is because the people that are  
31 making the decisions for Alaska regarding subsistence are non-  
32 subsistence users and.....

33

34 MR. BRELSFORD: Right.

35

36 MR. TUTIAKOFF: .....that was the problem we had from  
37 day one. I questioned their ability to make a decision based  
38 on subsistence early on because some of these people were  
39 actually hired to sit or move into that position on the Federal  
40 Board in the beginning. And the majority of them had not been  
41 involved with subsistence and it was like a training program  
42 for about a year for them. It was very hard for us to get  
43 anything through to try and beat some deadlines that we had to  
44 meet early on in this process, so we lost out and we're back to  
45 fighting them all over again.

46

47 The existing Board, as it sits right now, even by  
48 adding one Regional Council, basically -- and I hate to use the  
49 term, you're just -- we're just saying to the Board is that we  
50 want one token individual there. That individual is not going

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1 to impact that Board. My opinion is that if you're not going  
2 to change the structure of the existing Board, don't add  
3 another one to it, it's not going to help. You know, that one  
4 person is not going to influence three people to change a vote.  
5 You know, and because he is a subsistence user is not going to  
6 have an impact on their decision. It's either they should all  
7 be subsistence users or they all -- or you won't have any kind  
8 of a real positive impact to Alaska users.

9  
10 That's been my argument with them early on and it still  
11 is right now. And when I go and sit and make -- like I've done  
12 before, a couple of times with Mark, we made a presentation, we  
13 made a report to them, it was like they sit there and listen,  
14 okay, next. No comment, no nothing. No question, no answer,  
15 and it was just like, well, hell, I could have sent that in the  
16 mail instead of spending three days to do a five minute  
17 presentation, you know, and I could have been home doing  
18 something else, subsistence fishing or doing something instead  
19 of sitting in Anchorage. And that was my concern, that was my  
20 -- I was totally, you know, not very happy with the process,  
21 with the people that are being represented. I'm still not. I  
22 mean by adding one person I wouldn't go for. Adding an  
23 existing member and asking the Governor to appoint somebody,  
24 that's got to be wrong.

25  
26 MR. CRATTY: Yeah.

27  
28 MR. TUTIAKOFF: Then you'd put a sports fisherman in  
29 there or something.....

30  
31 MR. CRATTY: That's the way I see it.

32  
33 MR. TUTIAKOFF: .....and we'd be right out on our hind-  
34 end again.

35  
36 CHAIRMAN OLSEN: Here again, I look at it too and I try  
37 to find some consistency. When I say that, I look at the State  
38 Board. To be on the State Board, do you have to be a State  
39 employee? And they're holding the biggest bag on us right now.  
40 I mean this is why I'm trying to look at the fairness of  
41 judgment call.

42  
43 MR. TUTIAKOFF: We need to do what we -- practice what  
44 we preach from the Federal level, is get the communities  
45 involved. Let them, maybe through election process or whatever  
46 to a staggered term system, put our own people on this Board,  
47 we're not going to be any more critical than the existing Board  
48 is on our own people. We know the resource is there for us to  
49 use and if we overuse it it's not going to be there. We  
50 understand that and we've known that for thousands of years.

0192

1 You don't have to go to college to learn that.

2

3 CHAIRMAN OLSEN: In fact, they don't teach that in  
4 college. Al, did you have.....

5

6 MR. CRATTY: Yeah, I feel the same way as Vince in  
7 this. I don't agree with the Governor nominated anybody  
8 because he's going to nominate a sports fisherman, you know,  
9 somebody that doesn't do any subsistence. That's the way I  
10 feel, you look at all the words that the State's got, it's like  
11 the commercial fishermen, they aren't involved in any of the  
12 commercial fishing.

13

14 CHAIRMAN OLSEN: These are certainly points that the  
15 Council Chairs have looked at from all sides and it is just now  
16 looking out, I guess, out of the closet, if you will and  
17 starting to be addressed.

18

19 MR. TUTIAKOFF: It's been said in the hallways a lot.

20

21 MR. CRATTY: Oh, yeah.

22

23 CHAIRMAN OLSEN: And so at this point, I don't know,  
24 Taylor, are we looking for some action on this?

25

26 MR. BRELSFORD: Well, I think the key was input. And  
27 I think, you know, if there are additional comments we should  
28 get them on the chart, but I saw a lot of heads nodding so it  
29 seems as though these were strongly held views by many of the  
30 Council members. The purpose of the discussion is input. If  
31 you want to read in the regulations how the Federal Board is  
32 structured and what the membership requirements are, it is in  
33 the manual and the next page talks about the membership  
34 requirements for Regional Council members. But the purpose  
35 here was not to debate, it was.....

36

37 CHAIRMAN OLSEN: Right.

38

39 MR. BRELSFORD: .....really to get your guys input and  
40 views on it.

41

42 CHAIRMAN OLSEN: And I think our intent.....

43

44 MR. CRATTY: You already got good input.

45

46 MR. BRELSFORD: Yes, your points are focused and  
47 strongly felt.

48

49 MR. CRATTY: We're okay.

50

0193

1 MR. BRELSFORD: And that's the purpose.

2

3 CHAIRMAN OLSEN: There certainly is -- there's a lot  
4 more discussion that was brought before this restructure that's  
5 not in our materials at this point, but only focusing on this  
6 one side here that will effect even the Councils. So I hope at  
7 this time -- these are all 10 Regional Council Chairs working  
8 together on this, and really looking at it in depth and to what  
9 it's going to take and hopefully at this next meeting, we'll  
10 have more information from all regions. And I feel then we can  
11 more properly bring it before our councils to get some sense of  
12 direction.

13

14 So I believe Melvin was first here, Vince.

15

16 MR. SMITH: Yeah, how is the Federal Board chosen? Are  
17 they appointed by the Secretary also?

18

19 CHAIRMAN OLSEN: It's.....

20

21 MR. SMITH: No?

22

23 MR. BRELSFORD: Mr. Chairman, it's laid out in the  
24 regulations, the implementing regs, and they're found in the  
25 reference section of your manual.

26

27 MR. SMITH: Oh, okay.

28

29 MR. BRELSFORD: So it says, program structure, Federal  
30 Subsistence Board, the Secretaries hereby delegate  
31 responsibility to this Board. And then it says, the voting  
32 membership of the Board shall consist of a chair appointed by  
33 the Secretary of Interior with the concurrence of the Secretary  
34 of Ag, the Alaska Regional Director of the Fish and Wildlife  
35 Service, the Alaska Regional Director of the Park Service.....

36

37 MR. SMITH: Oh, I see, yeah.

38

39 MR. BRELSFORD: .....all five agencies.

40

41 MR. SMITH: I see.

42

43 MR. BRELSFORD: So that's laid out in law.

44

45 CHAIRMAN OLSEN: And certainly I need to bring it --  
46 from where I see the difference and from where the Chairs have  
47 seen the difference and why it was even brought, so at this  
48 time I certainly don't want to do anything against the will of  
49 the Chairs on this issue until we have formally agreed upon  
50 certain issues.

0194

1 Now, Vince.

2

3 MR. TUTIAKOFF: Well, I'd like to bring up alternative  
4 four for recommendation to bring before the -- this would go to  
5 the Chairs of all the Councils, right, for recommendation?  
6 That the Subsistence Council Chairmans of all the regions --  
7 Advisory Councils vote for six members -- a six member board  
8 which shall be subsistence users. With that, three Federal  
9 agency representatives with staggered terms. So you'd end up  
10 with a nine member board.

11

12 The reasoning for this is because what I felt from day  
13 one is that any decision made on the Federal Board level  
14 impacts the subsistence users. Subsistence users should then  
15 be a part of that decision making process, and not just make a  
16 presentation and hope for the best. I mean with the three  
17 Federal agencies, whoever they may be, you know, I'm not saying  
18 who they should be, you have six members or five -- they could  
19 start with three -- their first three and they have staggered  
20 terms, the other two would jump in there and another one gets  
21 reelected, well, they'd all be part of the process, but they  
22 won't be voting members.

23

24 CHAIRMAN OLSEN: I think that's a very good  
25 alternative, Vince. That's a good one to bring.

26

27 MR. CRATTY: I do too.

28

29 CHAIRMAN OLSEN: That could very much help.....

30

31 MR. TUTIAKOFF: And it's elected by all the Council  
32 Chairs, you know, one chair, one vote. I mean you'll get six  
33 good individual people, you know.

34

35 CHAIRMAN OLSEN: Yeah, the Federal employees.....

36

37 MR. TUTIAKOFF: In Alaska there must be six that have -  
38 - who can make a decision.

39

40 CHAIRMAN OLSEN: That would give us good input on -- I  
41 like that. Is this something that the Council would like to  
42 adopt then?

43

44 MR. CRATTY: Yes.

45

46 MR. TUTIAKOFF: I so move to adopt for our  
47 recommendation to the Regional Chair Council.

48

49 MR. CRATTY: I second.

50



0195

1 CHAIRMAN OLSEN: Moved and seconded. Anymore  
2 questions?

3  
4 MR. CRATTY: No.

5  
6 CHAIRMAN OLSEN: Discussion.

7  
8 MR. TUTIAKOFF: Question.

9  
10 CHAIRMAN OLSEN: All those in favor.

11  
12 IN UNISON: Aye.

13  
14 CHAIRMAN OLSEN: Those opposed.

15  
16 (No opposing responses)

17  
18 CHAIRMAN OLSEN: Thank you.

19  
20 MR. TUTIAKOFF: I made that so we can move on.

21  
22 CHAIRMAN OLSEN: That's the kind of action we're  
23 looking for. Can we take a five minute break here.

24  
25 (Off record)

26 (On record)

27  
28 CHAIRMAN OLSEN: Okay, we're back in session here,  
29 please. I would just like to request here that before  
30 everybody departs here and walks out the door, I would very  
31 much appreciate if we could all get together to have a picture  
32 taken of everybody at the meeting here. If you would please  
33 honor me with that to give me one second -- at least a  
34 photograph of those attending for whatever.

35  
36 MS. TRUMBLE: Is that like for physical proof?

37  
38 CHAIRMAN OLSEN: Documentation. Well, at any rate, I  
39 guess we would like to go ahead and move on to Section D here,  
40 memorandum of agreement under Tab H. I guess Mr. Eley's going  
41 to take over that.

42  
43 MR. ELEY: Yes, I guess I'm doing this. This is Tom  
44 Eley from Fish and Wildlife Service. In 1996, the Alaska  
45 Department of Fish and Game sent a letter to the Federal  
46 Subsistence Board proposing the development of a MOA, MOA means  
47 memorandum of agreement basically to improve the working  
48 relationship and the effectiveness of both the Federal and the  
49 State subsistence programs. They wanted to work closer with us  
50 and have us work closer with them so that things would be

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1 smoother.

2

3 Well, this letter went to the Board. The Board thought  
4 about it and they decided the goal of improved coordination  
5 between the Federal and State programs is a good idea. They  
6 weren't exactly sure what the State was looking for, so they  
7 appointed a Task Force, that's going to meet with -- or has met  
8 with the State to improve efforts. And one thing I just might  
9 mention is that all the agencies have memorandums of agreement  
10 with the Department of Fish and Game. The Fish and Wildlife  
11 Service already does for working together on various issues.  
12 The Board endorsed the concept and a Federal/State working  
13 group was formed. The State working group were the people that  
14 Elizabeth Andrews mentioned yesterday, a representative from  
15 their subsistence division, wildlife conservation, sport fish  
16 and com fish and Elizabeth. The Federal members of this  
17 working group is Greg Bos from the Division of Subsistence  
18 Management for the Fish and Wildlife Service. Peggy Fox from  
19 Bureau of Land Management. Ken Thompson from the Forest  
20 Service. And Sandy Rabinowitch from the Park Service. And  
21 they've met with the State and some of the benefits that  
22 they've seen for closer coordination would be reduce the  
23 confusion and conflicts between the two programs.

24

25 We have two sets of regulations when you go out  
26 hunting, you know, we need to some way make these simpler for  
27 people to utilize and understand to improve wildlife  
28 information presented to Councils. And to improve the proposal  
29 analysis. I mean yesterday you came up with questions about,  
30 you know, what happened on the State survey, and we need to be  
31 able to answer these sorts of questions. So maybe this MOA  
32 would provide a vehicle for which the Council could get better  
33 information and be better able to analyze the proposals as well  
34 as us in the Federal government.

35

36 CHAIRMAN OLSEN: We might want to take a picture so we  
37 can show the degree of importance?

38

39 MR. ELEY: So many ideas have come up and they're still  
40 working together is the closer alignment of the State and  
41 Federal proposal cycles. And they haven't -- these are sort of  
42 just ideas, they haven't sat down and worked on the nuts and  
43 bolts of it, but it is just some ideas they've come up with.  
44 Closer coordination of subsistence research surveys and  
45 studies. Fish and Game advisory committee representation at  
46 the Regional Council meetings so that people from the various  
47 advisory committees -- like the Interior, the Eastern and  
48 Western Interior, they have eight or 10 sometimes advisory  
49 committees that interact and they need to be able to present  
50 their points of view.

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1 Joint production of a regulation booklet and other  
2 public informational material, which it sounds like a good  
3 idea, I don't know how it can be done. But nonetheless, it's a  
4 good idea. Fish and Game assistance in preparation of review  
5 of proposals. Fish and Game representation and staff  
6 committees, coordination plans for joint subsistence managing  
7 planning efforts. So these are just some of the ideas that  
8 have come up. There have been other ones that have been  
9 submitted. I think that this agreement could provide a vehicle  
10 to get the game biologists or the area biologist to the  
11 Regional Council meetings.

12  
13 I, personally, and this is not speaking for the Fish  
14 and Wildlife Service, but I, personally think, that the area  
15 biologists should be here just like the refuge manager should  
16 be here or the park superintendent or their representatives,  
17 you know, they should be here to answer questions. Because  
18 these resources don't just stay within the refuge. They run  
19 out there on State lands or corporation lands and so you need  
20 to everybody and all the expertise there to get the best  
21 picture possible.

22  
23 Well, what's going to happen with all this? Well,  
24 we're going to ask you in just a second for any ideas that you  
25 might have for better Federal/State coordination. And we're  
26 going to pass these ideas on to the Task Force, and then the  
27 Task Force will consider these ideas, develop a strategy -- a  
28 coordination strategy which ultimately will go back to the  
29 Regional Councils and to the Board for review, and then a  
30 decision made on whether an MOA, in fact, is the proper tool.  
31 Can we agree enough to come up with an MOA or what's going to  
32 happen.

33  
34 So basically what we're looking for is, and this is  
35 your assignment for today, ways to improve coordination between  
36 the State and Federal programs and how to bring these programs  
37 closer together. Certainly everybody has a lot of ideas here  
38 about all sorts of things, and maybe you could provide us with  
39 some additional ones we haven't thought about.

40  
41 CHAIRMAN OLSEN: Well, I still say that it's kind of  
42 unanimous that we look at the cooperative management, you know.  
43 We manage, they cooperate. Here's your chance, how to improve  
44 better communications between.....

45  
46 MR. CRATTY: Well, I think the State's got to  
47 acknowledge the subsistence user more than what it's doing.

48  
49 MS. TRUMBLE: I think one important thing, and it's  
50 something we've all recently put up with, is they definitely

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1 need to coordinate their surveys together with the local  
2 communities.

3  
4 MR. GUNDERSON: Um-hum.

5  
6 MS. TRUMBLE: That's one I think that's a major thing.

7  
8 MR. ELEY: In some areas they do. I'll tell you that  
9 in Galena, the State and Federal surveys were done together and  
10 there was really good coordination. Other areas there's not  
11 good coordination. And I think this agreement could be a tool  
12 that could force that, I think you're absolutely right.

13  
14 MS. TRUMBLE: With local people.

15  
16 MR. SMITH: Local participation, yes.

17  
18 MR. ELEY: With local people, absolutely.

19  
20 CHAIRMAN OLSEN: Right.

21  
22 MR. ELEY: Absolutely.

23  
24 CHAIRMAN OLSEN: That's what I was going to look at,  
25 too, is it seems to me that the surveys and how they were  
26 conducted seem to have run into a conflict and I feel that by  
27 either, like you say, having -- why does there need to be two  
28 surveys done? Could not part of the Council, as we have it, be  
29 with them and their process of their surveys and vice versa. I  
30 think that would bring it closer together before they bring a  
31 survey in, they might take in consideration, and come to a  
32 uniform agreement on the survey, rather than have two surveys  
33 so far apart.

34  
35 MS. TRUMBLE: I think also that we keep hearing this  
36 funding is something that -- if they do it jointly, it's going  
37 to help with this funding issue because that's always an  
38 excuse, we don't have funding. It should allow for more work  
39 if they do it jointly.

40  
41 CHAIRMAN OLSEN: Here again, I must say, that so far as  
42 I've been involved with this program, that has not been an  
43 issue at this point, as odd as it may sound. I don't feel that  
44 we have.....

45  
46 MS. TRUMBLE: Why do we hear that as an excuse?

47  
48 CHAIRMAN OLSEN: From the Federal side?

49  
50 MS. TRUMBLE: Not from the Federal side, from the State

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1 side.

2

3 CHAIRMAN OLSEN: Right. That's what I'm saying. The  
4 State side has always used that funding as a lack of being able  
5 to give good survey reports. I guess I should say, we feel  
6 that is one of the reasons they do not come up with good  
7 surveys because of lack of funding, always being at the top of  
8 the list. Sure, Vince.

9

10 MR. TUTIAKOFF: Well, one of the issues, it gets down  
11 to what is supplied to the actual user is the hiring of the  
12 people within the region, rather than bringing people from --  
13 that are college students working on their biology degree or  
14 whatever and basically sampling the culture and the use and not  
15 really putting input into the region. In other words, they're  
16 there specifically, they're hired by Fish and Game or Wish and  
17 Wildlife, whatever agency, and their job -- and they're told  
18 when they get out there so the region is that, your job is to  
19 do this, this and this and report directly to us, not to  
20 anybody else. I mean that needs to come -- they need to work  
21 out some kind of arrangement where the local people who are in  
22 the area, whatever region you're at, be hired. Be the guides,  
23 be the people that are gathering information for them. I know  
24 it worked well at Atka, under the Fish and Wildlife Salmon  
25 Survey program several years ago. They utilized local people.  
26 For years before that they brought in people, and the survey  
27 wasn't complete, because the people did not understand maybe  
28 the areas. They didn't know where to look for the salmon, and  
29 it caused -- it took a longer time, they spent more money to do  
30 the survey. And about two or three years ago they utilized the  
31 local people and they were done within a month. Whereas,  
32 before it would take them April to September to do one area,  
33 where the guys that were local to the area knew where to go,  
34 knew the weather -- what kind of weather is going to blow up  
35 and they'd get out of that area and go to another area and be  
36 protected and still doing their job. I mean those are things  
37 that need to be taken into account and used, the people from  
38 the region, local knowledge.

39

40 MR. ELEY: In other regions that is being accomplished.  
41 People are getting involved. But I know that in the interior  
42 and the North Slope and the northwest, that certainly is the  
43 case that there are a lot of local hires, local guides. In the  
44 Interior we had a goose survey and the goose survey was  
45 developed, the track that we used was developed by working with  
46 local people and finding areas that they recommended.....

47

48 MR. TUTIAKOFF: Then maybe we need to.....

49

50 MR. ELEY: .....that were good goose areas that we

0200

1 surveyed.

2

3 MR. TUTIAKOFF: We need to see it happen more in our  
4 region then, that's all I'm saying. You know, in most cases,  
5 the local people will do it because they feel that it's part of  
6 their life.

7

8 CHAIRMAN OLSEN: Social responsibility.

9

10 MR. TUTIAKOFF: They'll do it and they won't take money  
11 for the job, you know, a lot of times. They just want to be  
12 part of it knowing that it's important to their culture and  
13 their use. They'll do it for nothing.

14

15 MR. ELEY: Be careful.

16

17 MR. TUTIAKOFF: Maybe Mark can -- but if they pay for  
18 the gas, I don't care, I'll do it.

19

20 CHAIRMAN OLSEN: Well, that's some good input right  
21 there within itself, I feel. Certainly.....

22

23 MR. TUTIAKOFF: So these here have been identified as  
24 issues. You've got about six or seven there.

25

26 MR. ELEY: That's some earlier issues that came up, you  
27 bet.

28

29 MR. TUTIAKOFF: They kind of cover my feelings and I --  
30 I don't know if you want them listed there, but these should  
31 be.....

32

33 MR. ELEY: No, no, we have those.

34

35 MR. TUTIAKOFF: Okay.

36

37 MR. ELEY: You know, if any others that people might  
38 have. I mean sometimes you can't see the forest for the trees  
39 and it helps to have someone else look at it and say, hey.....

40

41 CHAIRMAN OLSEN: Not out here.

42

43 MR. ELEY: There's some forest out here, we saw some.

44

45 CHAIRMAN OLSEN: As we discuss this, I think the one  
46 thing that comes to my mind, what kind of input does -- what  
47 does the Federal staff, how do they see -- how can things be  
48 worked.....

49

50 MR. TUTIAKOFF: Improved with the State?

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1 CHAIRMAN OLSEN: .....better with the State?

2

3 MR. WILLIS: I guess the first thing that comes to my  
4 mind is one of the first things that Tom said, and that is to  
5 get the local biologists to the meetings. And I've recommended  
6 in the past buy them a plane ticket, I mean you know that's  
7 \$634 to come here from Anchorage and I guess if you're in King  
8 Salmon you got to go back to Anchorage to get back out here  
9 sometimes. So this has come up. We do give some money to  
10 ADF&G, and it's several thousands of dollars. Exactly what it  
11 is, I don't know, but at the present time all that goes to the  
12 Division of Subsistence within the State. And so Fish and  
13 Wildlife Conservation, where the biologists are doesn't get any  
14 funding from us directly, and this is one of the things they  
15 have asked for which I agree with because I'd like to see them  
16 attend all these meetings.

17

18 But I've got to tell you, they sure take a beating at  
19 the meetings they come to, and that is something that the  
20 Councils can improve on; and that's how these people are  
21 treated when they do come to the meetings. The guys at the  
22 field level are dedicated professional biologists. You know,  
23 they're not bureaucrats sitting in a high office somewhere and  
24 working in politics. They're in this business just like I am  
25 because they care about the resources and that's why they spend  
26 their life at it. And I would love to get them to the meetings  
27 because they have a lot of information I don't have. You know,  
28 I'm one man covering a big area and I depend on them for  
29 information. Refuge managers, park rangers, State biologists,  
30 everybody, you know, as well as the Council members. I'd like  
31 to see them come to meetings and provide direct input. And I  
32 really think they could get a better reception than they do  
33 though. And that's not -- I'm not talking about just this  
34 Council, but all the Council's that I work with. Not all the  
35 Councils are that way, some of the Interior Councils have  
36 worked with these people for years and they've had better  
37 programs, you know, and more close contact and so that's not a  
38 factor there. But I know in Southeast where I work it's  
39 certainly a factor. The State biologists feel obligated to  
40 come, they want to come to meetings and provide some input, but  
41 they get treated with a big paint brush, like they're the same  
42 as the guy that -- you know, a politician sitting in Juneau,  
43 the State is painted with the same huge brush. And I think  
44 that turns a lot of them off who come to these meetings, you  
45 know.

46

47 MS. TRUMBLE: I think it's a lack of communication and  
48 education and the willingness to work together that has to be  
49 on a unified front. Sometimes it's been our experience that  
50 doesn't necessarily work. Sometimes it has, in the past,

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1 worked against us, so if people are frustrated, that's why.  
2 But I think it's got to come from them, too.

3  
4 MR. CRATTY: And you got to realize they've got a lot  
5 to do with what's happening in the State and our subsistence.  
6 I mean they don't want to acknowledge our subsistence. We've  
7 got our reasons for being the way we are.

8  
9 MR. WILLIS: I understand that, Al, and I think.....

10  
11 MR. TUTIAKOFF: It's not personal.

12  
13 MR. WILLIS: .....it's one of those situations where  
14 you got to realize that you have some differences. You know,  
15 people have different mandates, they grew up differently, they  
16 have different ideas. But still, we're all -- we've got this  
17 one pie that we're trying to work with here, this one resource.  
18 And it's being pulled in a lot of different directions, and so  
19 we all need to sit down at the same table and look at that pie  
20 and say, okay, we don't all agree on everything, but how are we  
21 going to protect this. You know, where do we agree, where can  
22 we work together and how can we improve things and not  
23 concentrate so much on past problems that we've had. That's my  
24 personal philosophy on this thing. That and a dollar bill will  
25 get you a cup of coffee over here across the street.

26  
27 CHAIRMAN OLSEN: Thank you, Robert.

28  
29 MR. CRATTY: Thank you, Robert.

30  
31 MR. TUTIAKOFF: Thank you, Robert.

32  
33 CHAIRMAN OLSEN: I would like to reiterate what he has  
34 said, as I've been part of the Council since the inception, and  
35 yes it was very derogatory sometimes and very hostile. And I  
36 have to agree, at the time we did have more State input at our  
37 Council meetings, and I guess when I look at it, since they  
38 have not been with our Councils, maybe that's why I noticed not  
39 as much hostility. But on the other hand, I have recognized  
40 that it seems like the State biologists were so rigid and not  
41 willing to listen to the people of the region, and it should  
42 not get into that kind of a discussion. I think the biologists  
43 should be there to present State biology and try to incorporate  
44 common knowledge with biology.

45  
46 So I am very much, I feel, and I think that the  
47 Councils are ready to, once again -- here again, I'm wondering,  
48 maybe the State can do its part too and support biologists to  
49 our Council meeting as their show of faith to work together  
50 with us. I don't see why the Federal government should have to



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1 even by them their ticket.

2

3 Vince.

4

5 MR. TUTIAKOFF: The wording up there, them and us, kind  
6 of bothers me. I think it should -- describe who they are.

7

8 MS. MASON: Treat the biologists better?

9

10 MR. TUTIAKOFF: Yeah.

11

12 MR. CRATTY: ADF&G.

13

14 MR. TUTIAKOFF: ADF&G biology.

15

16 MS. MASON: Okay.

17

18 MR. TUTIAKOFF: Whatever. Because it gets down to them  
19 and us and right there is confrontational in my mind, you know.  
20 You know, every time we sit down with the Fish and Game people.  
21 It is them and us. I mean that's their attitude, it's been  
22 like that for years and years. It's like it's their property  
23 and they're letting us use it, you know, where it should be the  
24 other way around; it's our property and we're letting them  
25 manage it. But it's gotten turned around over the years.  
26 That's why the argument comes up all the time.

27

28 MR. ELEY: I'd just like to comment that I agree with  
29 Vince. And the thing that amazes me after attending a lot of  
30 these meetings is that we agree more than we disagree. And I  
31 think we all, be it the State, the Federal government or the  
32 subsistence users, we all want the same things. We all want  
33 healthy resources that people can use. And I think we're all  
34 going the same way. Yeah, there'll be times we have  
35 disagreements, but we can -- we should be able to disagree and  
36 then go over and have a beer together and whatever.....

37

38 MR. TUTIAKOFF: As long as they buy.

39

40 MR. ELEY: That's right. That's part of the State  
41 responsibility.

42

43 MR. CRATTY: Put that in the record.

44

45 MR. TUTIAKOFF: That's the only time you use them and  
46 us.

47

48 MR. SMITH: Agree to disagree.

49

50 CHAIRMAN OLSEN: I certainly think it would be more

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1 advantageous to, at least, identify common grounds that we do  
2 have. So far we've kind of picked about -- we've picked out  
3 how far apart we are on the issues and I'd like to see more  
4 what we have in common. Mr. Stovall.

5  
6 MR. STOVALL: I just want to say -- this is Robert  
7 Stovall, Kodiak Refuge, that I think the working relationship  
8 between the State and Kodiak Refuge is extremely good and it  
9 has been good for many, many years. I also want to state that  
10 it'd be really -- an extremely good idea to try and take the  
11 regulation booklets that are produced from the Federal and the  
12 State and meld them together so that people have one area to go  
13 to. They can find out everything they need to go from one  
14 booklet instead of trying to figure out where to find the other  
15 booklet and have both booklets available at both State and  
16 Federal level areas. Now, there's got to be a way to do that.  
17 And I think as professionals, we all should be able to come up  
18 with a booklet that is readable, short enough and useable for  
19 both entities.

20  
21 CHAIRMAN OLSEN: Thank you, Robert. And thanks to  
22 computers, I think that that would certainly be alot easier.

23  
24 Vince.

25  
26 MR. TUTIAKOFF: A good example of that is the duck  
27 stamp, you know, there's a Federal and a State. And you have  
28 to go four buildings down to the store to buy a duck stamp and  
29 then they say, well, you have to go up there and buy a Federal  
30 stamp. Years ago you used to buy them in the same place, the  
31 post office or the city hall or wherever. And now because of  
32 the issues involved, they've totally -- you know, one said,  
33 well, we don't deal with that one, but you have to have it, if  
34 you don't you'll get arrested. You know, they're simple, easy  
35 things to see. But that's what the problem is right now. It's  
36 the State over here and the Federal government over here and  
37 they're supposed to be together but they're running a parallel  
38 track with different rules and regulations. And the timing is  
39 all different. And like I said, we need to make them all in  
40 line and I think the one book would really help.

41  
42 CHAIRMAN OLSEN: Right. And -- I lost it there for a  
43 second.

44  
45 MR. TUTIAKOFF: We were on the last subject there, I  
46 think.

47  
48 MR. CRATTY: You mean adjournment now, Vince?

49  
50 MR. TUTIAKOFF: Yeah.

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1 MR. GUNDERSON: I think that a lot of the people that  
2 are participating in this meeting also participate actively in  
3 the advisory capacity for their communities with the fish and  
4 wildlife. So it brings some parallel to the programs from the  
5 community's part.

6  
7 CHAIRMAN OLSEN: But right now, as far as the duck  
8 stamps it kind of looks like, here again, that they're  
9 utilizing the only one international language that there is,  
10 that they can understand and that's.....

11  
12 MR. TUTIAKOFF: I don't mind paying \$12 if it's just  
13 one stamp, that takes care of the State and the Federal. I  
14 mean they're going to get their money anyways.

15  
16 CHAIRMAN OLSEN: Well, I we've had some good input and  
17 I'm sure if we spent a long enough time, we could certainly  
18 come up with more and I would encourage those thoughts that  
19 come along this line to go ahead and to please feel free to  
20 ship them to Taylor or to Cliff or even myself, I will, at  
21 least make sure I fax a copy.

22  
23 MR. MACK: Duck stamps are going to go down next year.  
24 A Republican is going to be president.

25  
26 CHAIRMAN OLSEN: Yeah, they're going to go down because  
27 there will be no season. Thank you.

28  
29 Okay, moving on, speedily, the next.....

30  
31 MS. HILE: Mr. Gunderson, could you.....

32  
33 MR. GUNDERSON: I can't hide away from her.

34  
35 (Off record comments)

36  
37 CHAIRMAN OLSEN: I'm going to go ahead at this time  
38 that -- I feel -- is there anybody that would like anymore  
39 information on the government's subsistence Task Force report  
40 or AFN/AITC RuralCap Subsistence Summit? Is there anybody that  
41 has any question maybe on that? We can go through that and  
42 spend time, unnecessary, I.....

43  
44 MR. CRATTY: Negative.

45  
46 CHAIRMAN OLSEN: I feel that the information that is  
47 needed.....

48  
49 MR. CRATTY: I think we all.....

50

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1           CHAIRMAN OLSEN:   .....I think most people were involved  
2 in that process here. But I don't want to toss it aside like  
3 it's not important because we did come up with some resolution,  
4 whether it's clear to a lot of people or not, there is reason  
5 and there was a lot of thought put behind it. But hearing none  
6 on that, at any time, we can go ahead and ask any questions  
7 that might be -- come to mind on them -- issues. Go on to F,  
8 which is the Regional Advisory Council Charter Renewal, and we  
9 have Chief Evenclaw here to.....

10  
11           MR. EDENSHAW: Thank you, Mr. Chair, if you'd turn to  
12 your Tab -- Thanks Al. Tab I. The Regional Council charters,  
13 they're renewed in even numbered years, so as it states here in  
14 the first paragraph, December 2nd, '98, Kodiak/Aleutian's  
15 charter will expire. And in the past, prior to me coming on, I  
16 know that there was issues brought up by this Council regarding  
17 boundary changes. They increased the Regional Council from  
18 seven to nine, so there have been some changes made. So if you  
19 turn to the second page here to the present Kodiak/Aleutian's  
20 charter. And as we've said here before, the charter will be  
21 renewed and it expires on December 2nd. So between this  
22 meeting and February, you can presently, at this meeting here,  
23 we can look at the charter here. And I think, if you want to  
24 make any changes, recommendations for changes to the charter,  
25 we could do those and -- as well as the February meeting.

26  
27           MR. TUTIAKOFF: Mr. Chairman.

28  
29           CHAIRMAN OLSEN: Vince.

30  
31           MR. TUTIAKOFF: I think the only real concern I have is  
32 membership criteria, which is not addressed here. I think it's  
33 addressed under the by-laws. And we're going to discuss this  
34 as the next item or something on the agenda on the one  
35 particular member. But the membership criteria, as I  
36 understand it, to be a member of the Regional Council is to  
37 reside within the region of that unit that the Council  
38 represents.

39  
40           We have a situation that may come up, not only this  
41 time, but in the future, that for economic and for other  
42 reasons, an individual who is on this Council, not knowing  
43 three months from now could be displaced from that reason for  
44 economic reasons, finding work, having to maybe move to take  
45 care of some family member in Anchorage, particularly, for  
46 short periods of times, six to seven months. There is no  
47 leeway as to when an individual can leave the region, say for a  
48 period of six to seven months and be -- under the criteria of  
49 the description of residency, they are then out of conformity  
50 with the law that states, you know, they have to reside within

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1 that region. These individuals still vote, still own homes,  
2 and still do fishing, have a seasonal type of employment within  
3 their region, yet their temporary place of residence may be  
4 Anchorage or Kodiak or whatever, out of our region. And I  
5 think that we need to be able to look at each individual case  
6 and come together as a group and say, yes.

7  
8 And we also have to look at how much time's left on the  
9 individual. It takes a year to a year and a half to replace an  
10 individual on this Council once you remove them. If his time  
11 is one year, say from today, he gets replaced -- he's going to  
12 be replaced or up for nomination to be replaced, why remove  
13 him? There's no -- I mean you have to consider those things.  
14 It may not -- I'm talking specifically on this -- on Melvin's  
15 case, but it could be anybody here. For some reason or  
16 another, have to leave the region.

17  
18 CHAIRMAN OLSEN: Whether it be health or other wise??

19  
20 MR. TUTIAKOFF: Health or otherwise. I mean, you know,  
21 if -- and we need to be, not only sympathetic, but be mindful  
22 they are still members of the communities where they come from,  
23 they're just, for some reason, they're not there for periods of  
24 time. Now, in my particular case, you know, I -- in the  
25 future, I don't know what the future holds for me, but it may  
26 be realistic that I may not be living in the region for a year  
27 to a year and a half come December because of economic reasons.  
28 But I would really be upset that I would not -- although I'm  
29 still going to be traveling back and forth within the region,  
30 go to the communities, do other things for another agency, that  
31 I'm still going to be a contributor to this process, and I'd be  
32 upset if I'd be removed and just be a public member. I think I  
33 would want to be part of the Council and continue to do so.

34  
35 So under this -- what I'm getting to is, under the  
36 Council charters, I think we ought to include some kind of  
37 membership criteria, and maybe you could come up with  
38 something, Taylor or find out what the other regions are doing.  
39 I'm sure they're having similar problems. Because most of our  
40 people that are on these Councils are people that have -- that  
41 they're prominent in their communities and eventually move to  
42 other jobs and they take leadership roles. So we need to be  
43 aware of that fact and not be just strictly guided by -- those  
44 are guidelines in my opinion as to how this Council is made up.  
45 We, as a Council, determine those issues and make  
46 recommendations, but -- and I'm sure they'll follow our  
47 recommendations, whatever they are, because they just initially  
48 came out as just guidelines and how a Council is made up and we  
49 just followed them.

50

0208

1           CHAIRMAN OLSEN: Certainly on that issue, also when we  
2 have new members coming in, a lot of times we have old business  
3 that's been on the table for a long time and here again, it  
4 takes awhile for, sometimes to come up to speed on exactly  
5 where, what and why, how the matrix is of any one issue. Here  
6 again, I would not know how to address it, but I am looking for  
7 a common ground that we might address on this issue, meaning  
8 that we have to have a more -- our communities of our region  
9 have to have a more meaningful role in the selection of our  
10 Council members. I think that's very important. By doing so,  
11 we might be able to come to an agreement of a common ground on  
12 this issue that will enhance the same problem, whether it be in  
13 a different region or not. Certainly, we use places like  
14 Anchorage in the business industry as a common ground or place.  
15 When I speak of that, we might be the Koniag region, but right  
16 now our main office is in Anchorage for business purposes, or  
17 so they say. So anyway, that's the thought that goes through  
18 my mind by having a more meaningful input in Council members  
19 rather than just an appointment, we might be able to find a  
20 common ground.

21  
22           Vince.

23  
24           MR. TUTIAKOFF: I was reading this charter for  
25 Kodiak/Aleutians. And under Item 6, duties of the Council 6.7,  
26 we need to provide recommendations on establishment and  
27 membership of the Federal local advisory committees. In other  
28 words, that's our responsibility on these cases, to determine  
29 what is the -- what are the membership requirements. Do we  
30 want to be strict and to the letter, then you may start to lose  
31 some real members because they have to leave the area for two  
32 or three months at a time for hospital or whatever I mentioned  
33 earlier. Then they would be, under those guidelines, they'd be  
34 off. We have to have some kind of leeway, one way or another  
35 and be able to make a decision that is best for the region that  
36 we're representing, not only the communities, but the region as  
37 a whole.

38  
39           MR. CRATTY: I feel the same way on that.

40  
41           CHAIRMAN OLSEN: As I understand it right now, the  
42 Federal Board does have the authority to remove a Council  
43 member. I really have a problem with that, that we work hard  
44 to get the best people that can serve the Council and the  
45 people the best. That I feel, on a particular case like this,  
46 how is it going to effect us if there's an authority to fire  
47 somebody, but our responsibility to hire.

48  
49           MR. GUNDERSON: We don't have it.

50

0209

1 CHAIRMAN OLSEN: Yeah. Here again, where's the common  
2 ground on it?

3  
4 MR. TUTIAKOFF: Like I mentioned, the Secretary of  
5 Interior makes nominations of all of us here, and that process  
6 took almost nine months that I remember, just for me. It must  
7 have been my name, it took a whole nine months just for  
8 consideration. And that's what will happen when you remove a  
9 member, we'll be nine months without a voting person.

10  
11 MS. TRUMBLE: Mr. Chairman.

12  
13 CHAIRMAN OLSEN: Della.

14  
15 MS. TRUMBLE: I know I just got on here and this is my  
16 first meeting. But just sitting in this meeting, it seems like  
17 there's a lot of important things coming up here. And I know  
18 Melvin's been a part of this for a while. If you start losing  
19 one member seven months from now, I think it's -- until seven  
20 months from now, how long is your term?

21  
22 MR. TUTIAKOFF: It's up next year.

23  
24 MR. SMITH: It's three years and I've been on here two  
25 years.

26  
27 MR. TUTIAKOFF: He's up next year.

28  
29 MS. TRUMBLE: You have one more year?

30  
31 MR. SMITH: Yeah.

32  
33 MR. TUTIAKOFF: Who's the other member that serves one  
34 more year?

35  
36 MR. SMITH: One more year.

37  
38 MR. TUTIAKOFF: There's two members up next year, who  
39 is it, do you know?

40  
41 MR. EDENSHAW: I think it's Ivan.

42  
43 MR. TUTIAKOFF: Oh, Ivan.

44  
45 MR. SMITH: Myself and.....

46  
47 MR. EDENSHAW: Or no, it's Alfred.

48  
49 MR. CRATTY: No, I'm on for three years.

50

0210

1 MR. EDENSHAW: Okay, it's Ivan.

2  
3 MR. TUTIAKOFF: You just got on.

4  
5 MR. EDENSHAW: Then I'm pretty sure it's Ivan.

6  
7 MR. CRATTY: Yeah, back on.

8  
9 CHAIRMAN OLSEN: Reappointed.

10  
11 MR. TUTIAKOFF: I've got two on mine yet, next year and  
12 '99.

13  
14 CHAIRMAN OLSEN: Certainly this is also been a concern  
15 addressed by the Council Chairs in trying to find people.

16  
17 MR. TUTIAKOFF: Well, not only that, finding people,  
18 but people willing to take the time to come and do these very  
19 important things. I mean if all of us are here, we're willing  
20 to do it, you know, because we feel it's very important. We  
21 may pick an individual or he may submit to be on the Council  
22 and not have the interest after six months to deal with these  
23 issues. Because they're very technical and if you're not into  
24 that kind of thing, then it's not good for you.

25  
26 CHAIRMAN OLSEN: The other thing that we talked about  
27 was compensation for the Councils. We feel very intimidated,  
28 if you will, for the lack of a better term, here we are giving  
29 up our time to work on behalf of the public's interest. I have  
30 to state that I don't know, would the Federal employees be here  
31 if they weren't on the payroll? I mean I'm just trying to keep  
32 -- we might have better attendance and better input, you know,  
33 more attendance. It certainly effects all of us, especially  
34 sometimes, I mean I'd love to be at home putting up my silvers  
35 right now.

36  
37 So it does effect all of us one way or another. And I  
38 think that we have a very good Council that is here  
39 representing the best interests of the people without pay.  
40 Unfortunately, that's what helps -- makes the ride more  
41 pleasant. So these are -- I'm just trying to explain some of  
42 the discussion and how it came about.

43  
44 MR. EDENSHAW: I think, excuse me, Mr. Chair, to keep  
45 this confined to the charter. I think on this one portion here  
46 of ANILCA, it says, each Regional Advisory Council shall be  
47 composed of residents of the region. It explicitly states,  
48 residents of the region, and it goes on to give their  
49 authority. And Vince mentions changes in the regional charter.  
50 I think, you know, just the way you look at the regional



0211

1 corporations, they have at-large representatives who live in  
2 Seattle.

3  
4 CHAIRMAN OLSEN: People put them in though.

5  
6 MR. EDENSHAW: Yeah. So that's what I'm saying, if you  
7 guys want to do something to your charter, there's an  
8 opportunity to develop ideas, you may want to do that. I'm not  
9 sure how that will fly, but I want to keep the discussion to  
10 the charter. Melvin -- we'll get to Melvin's case in the  
11 agenda further on.

12  
13 MR. SMITH: I was just going to ask you, where were we  
14 on.....

15  
16 MR. EDENSHAW: But I like.....

17  
18 MR. SMITH: .....the agenda?

19  
20 MR. GUNDERSON: Well, I think this is where it has to  
21 go.....

22  
23 MR. EDENSHAW: .....Vince's idea of possibly, you know,  
24 the by-laws and the criteria.

25  
26 CHAIRMAN OLSEN: On at a time, please.

27  
28 MR. CRATTY: I make a motion to accept Vince's deal on  
29 the charter here, to.....

30  
31 MR. TUTIAKOFF: The membership. She has it better  
32 written.....

33  
34 MR. CRATTY: Okay.

35  
36 MS. TRUMBLE: I.....

37  
38 MR. TUTIAKOFF: Because she wrote it down as I said it.

39  
40 MS. TRUMBLE: I think we could amend this to say that  
41 in the event that a Council member relocates during their term  
42 for economical reasons, the Council member shall be allowed to  
43 fulfill their term of whatever the office is -- what is it?

44  
45 MR. TUTIAKOFF: Term.

46  
47 CHAIRMAN OLSEN: Term.

48  
49 MR. SMITH: Yeah, I think term.

50

0212

1 MR. GUNDERSON: I don't know, it's just.....

2  
3 MS. TRUMBLE: But I think also in that respect, if this  
4 Council member is going to continue to live outside these  
5 boundaries, that that should be a part of his being able to be  
6 allowed to continue on until his term is fulfilled. He may  
7 move back to False Pass in two or three months.

8  
9 CHAIRMAN OLSEN: Al, is this a motion?

10  
11 MR. CRATTY: Um-hum.

12  
13 MR. TUTIAKOFF: I'll second it.

14  
15 CHAIRMAN OLSEN: Okay. Moved and seconded. Under  
16 discussion, Robert did you have some input on this? Okay.

17  
18 MR. TUTIAKOFF: I think the idea of at-large membership  
19 that Cliff brought up. I think that's what we're leading to,  
20 and maybe you could come back to us with this motion  
21 incorporating the at-large type membership with two options, so  
22 we can present them and not be totally shot down.

23  
24 MR. CRATTY: No, let's write it the way we want it.

25  
26 MR. TUTIAKOFF: As part of the -- just as part of that  
27 motion that it include at-large type membership. I mean that's  
28 where we're leading to, right?

29  
30 MR. BRELSFORD: Mr. Chairman.....

31  
32 MR. TUTIAKOFF: One member.....

33  
34 MR. BRELSFORD: .....I think the input is very helpful  
35 and we're at the brainstorming stage here to try and get the  
36 basic ideas. I think we do want to give these kind of a  
37 technical review.

38  
39 MR. TUTIAKOFF: Right.

40  
41 MR. BRELSFORD: Cliff is on the mark in saying that  
42 it's the statute, it's ANILCA that defines regional residency  
43 as a key qualification of members of Regional Councils. ANILCA  
44 can't be changed by the Council, it can't be changed by the  
45 Secretary of Interior, that's Congressional action only.

46  
47 But there's some creative thinking here that I've never  
48 heard before. The idea of serving out a current appointment in  
49 the result of a relocation for economic purposes, I think we  
50 need to run these out and see if there's any latitude to do

0213

1 that. Maybe come back with some technical comments in the  
2 winter meetings when you guys would make your final  
3 recommendation regarding the charter at that time.

4  
5 MR. TUTIAKOFF: It says here in the February meeting --  
6 that during the winter meeting, the Regional Council will  
7 review the Staff work regarding this particular motion.

8  
9 MR. BRELSFORD: Exactly.

10  
11 MR. TUTIAKOFF: Okay.

12  
13 MR. BRELSFORD: That would be like the technical review  
14 that Cliff and we'll probably involve the solicitor's office,  
15 there's a guy named Joe Darnell, who works on these Federal  
16 committees. He would be -- I think we would want his legal  
17 advice on this one.

18  
19 I did want to add one additional bit of input to  
20 Vince's point. Temporary absences from a region are not a  
21 change in residency. They do not disqualify a member. So  
22 things that could be three months, six months, even a years  
23 time, we have actually had a member in other region, a chair,  
24 in another region who was working temporary construction in  
25 Anchorage, and that went on for months and months, I think  
26 maybe a year. And the nature of the work -- you know his  
27 family stayed at home, his kids were still in school, all those  
28 things you say, all the facts taken together meant -- said  
29 that's a temporary time away from the permanent place of  
30 residency. So we would always try to, you know, be realistic  
31 about the purposes of a move and be -- I think you used the  
32 terms, sympathetic or understanding -- mindful.

33  
34 MR. TUTIAKOFF: Um-hum.

35  
36 MR. BRELSFORD: Certainly that -- there's no desire on  
37 the part of the Board, Staff or the Secretary to bump good  
38 people out. It's just that the legal says, when there's a  
39 change of permanent residency, then you would no longer qualify  
40 under current law. So there is -- what I'm saying is there is  
41 currently some flexibility along the lines you were discussing  
42 initially, Vince. I think these are good ideas, the way Della  
43 has laid this out and the prospect of some at-large membership,  
44 I think we need to, you know, give it serious consideration and  
45 come back to you with some additional information.

46  
47 MS. TRUMBLE: Mr. Chair.

48  
49 CHAIRMAN OLSEN: Thank you, Taylor.

50

0214

1 MS. TRUMBLE: Also in this -- it's got removal of  
2 members. If a Council member, appointed under, paragraph nine,  
3 misses two consecutive regularly scheduled meetings, the Chair  
4 of the Federal Subsistence Board may recommend the Secretary of  
5 Interior with the concurrence of the Secretary of Agriculture  
6 remove that individual. Now, if I was to just read this, it  
7 means that if I miss two meetings because maybe I had to go to  
8 the hospital, maybe I had to do something else, I am to be  
9 recommended to be removed, and I think that's very vague.

10  
11 MR. CRATTY: It is.

12  
13 MR. TUTIAKOFF: It should be.....

14  
15 CHAIRMAN OLSEN: Yes.

16  
17 MR. TUTIAKOFF: .....kind of left up.....

18  
19 MS. TRUMBLE: I think it should be unexcused absences.

20  
21 CHAIRMAN OLSEN: Right. Correct. And that's what we  
22 have discussed at the meetings previously and looked at,  
23 unexcused absences, and we've basically defined what an excused  
24 was. Unexcused is basically, not letting Staff or Council  
25 Chair know a reason for not being able to attend the meeting.  
26 Usually simply by addressing that and letting us know in  
27 advance, we are very flexible, knowing that there is other  
28 responsibilities other than just the Council. But I will  
29 certainly agree with you that we would like to see the word,  
30 unexcused. That way the Council does have a meaningful role in  
31 it, whether they choose to accept it as excused or unexcused.

32  
33 One other thing I looked at here, just quickly, is  
34 under number eight in the meetings, the Council shall meet at  
35 least twice a year at the call of the Council, Council Chair,  
36 Federal Subsistence Board Chair or designated Federal official  
37 with the advanced approval of the Federal Subsistence Board  
38 Chair or the designated Federal officer who shall approve the  
39 agenda. Here again, I think this is more directed for Council  
40 meetings with the Board, am I reading that wrong?

41  
42 Sometimes I -- I'm trying to look at how can we  
43 constitute and call a meeting? By the time we get approval,  
44 through all these things, well, it's -- we'll probably hit our  
45 next cycle meeting anyway, especially with the fisheries.  
46 There's going to be a lot more questions coming at us. Here,  
47 as I look at it, we basically -- it says, at least twice a  
48 year, but I don't see any room, because of the process where we  
49 would be able to have anymore.

50

0215

1 MR. BRELSFORD: Mr. Chairman, I think the key word is,  
2 or. It says there's several officials who are authorized to go  
3 ahead on a meeting -- to give the go ahead for a meeting. You  
4 have to be involved in calling a meeting and you need the sign-  
5 off from one other person. Cliff, is your Federally designated  
6 officer as the coordinator and, you know, who the Board Chair  
7 is and so on. It's one or the other of those. I think  
8 basically the regularly scheduled meetings are known months in  
9 advance. We know about the winter and the fall and then the  
10 winter meetings. Special meetings have been held fairly  
11 frequently by different Councils for special purposes,  
12 especially like on overlapping regions. Bristol Bay and Y-K  
13 have met to talk about moose in the Togiak drainage, for  
14 example. This is actually a legal requirement in that Federal  
15 Advisory Committee Act. It has to do with budgets and notice  
16 to Congress and all that kind of stuff. So there's not a lot  
17 of gives on the fact that meetings have to be authorized. But  
18 I think as a matter of practice, it's, in fact, pretty  
19 flexible, pretty efficient and the regularly scheduled meetings  
20 have gone off, you know, like a drum beat and special meetings  
21 have been called and funded for reasonable purposes. So I  
22 think that looks -- the bark's worse than the bite.

23  
24 CHAIRMAN OLSEN: Okay.

25  
26 MR. BRELSFORD: We've been pretty successful, I think,  
27 in trying to get the Council's together on key business.

28  
29 CHAIRMAN OLSEN: I appreciate you clarifying that  
30 because I look at it and Region 3 is compromised mainly of  
31 coastal communities that work with the fisheries, and as we  
32 know that's going to be another big topic on our agenda. So I  
33 just wanted to make sure we had the flexibility to address  
34 these issues as they come before us.

35  
36 MS. TRUMBLE: Mr. Chairman.

37  
38 CHAIRMAN OLSEN: Please, Della.

39  
40 MS. TRUMBLE: I wonder if we could amend what we did  
41 earlier to say, their term for economical or health reasons.

42  
43 CHAIRMAN OLSEN: Do we want to stay bound by that?

44  
45 MR. BRELSFORD: Della, I tried to write down that  
46 motion, so maybe you and I -- let me be sure I have exactly the  
47 wording you used. I think the key idea, we got it, but let's  
48 be sure we have the specific.

49  
50 CHAIRMAN OLSEN: Excuse me, I think we did have that

0216

1 motion on the table and we're under discussion.

2

3 MR. TUTIAKOFF: We're on discussion of the motion right  
4 now, yeah, so you can amend it at any time. She's the maker  
5 and if the second agrees, you can amend it, it's a friendly  
6 amendment.

7

8 MR. CRATTY: She's the maker of the motion?

9

10 MS. HILE: No, Al is.

11

12 MR. TUTIAKOFF: You're maker of the motion?

13

14 MR. CRATTY: Well, she's making it for me.

15

16 MS. HILE: Al's the maker of the motion, she's just  
17 reading it, and you seconded it.

18

19 MR. TUTIAKOFF: Okay, I agree with that.

20

21 MR. BRELSFORD: So friendly amendment.

22

23 MR. TUTIAKOFF: Friendly amendment.

24

25 MS. TRUMBLE: I don't know if that was friendly.

26

27 MR. BRELSFORD: In the even that a Council member  
28 relocate for health or economic reasons.

29

30 MS. TRUMBLE: Yeah.

31

32 MR. TUTIAKOFF: Question.

33

34 CHAIRMAN OLSEN: Okay, question's been called. All  
35 those in favor of the motion signify by aye.

36

37 IN UNISON: Aye.

38

39 CHAIRMAN OLSEN: Those opposed by the same sign.

40

41 (No opposing responses)

42

43 CHAIRMAN OLSEN: Motion passes.

44

45 MR. TUTIAKOFF: Mr. Chairman, on the compensation  
46 issue, I move that the Regional Council Staff continue to -- I  
47 know that under the law, U.S. Code 5703 Section 5, we're not  
48 allowed to receive compensation right now, but I know there is  
49 a movement to have that changed. I think a motion should be  
50 from this Council that we do seek compensation of some sort and

0217

1 that would put us in line with everybody else that wants to do  
2 something. So I so move.

3  
4 CHAIRMAN OLSEN: Thank you.

5  
6 MR. CRATTY: Second.

7  
8 MR. SMITH: Second.

9  
10 CHAIRMAN OLSEN: Moved and seconded.

11  
12 MR. CRATTY: Question.

13  
14 CHAIRMAN OLSEN: Discussion.

15  
16 MR. BRELSFORD: Who was the second, please?

17  
18 MS. HILE: Al.

19  
20 CHAIRMAN OLSEN: I hear the question being called for,  
21 those in favor signify by aye.

22  
23 IN UNISON: Aye.

24  
25 CHAIRMAN OLSEN: Those opposed same sign.

26  
27 (No opposing responses)

28  
29 CHAIRMAN OLSEN: Thank you. That does bring it much  
30 easier that we do have it on the books when we continue to.....

31  
32 MR. TUTIAKOFF: We are agreeable to some compensation  
33 other than \$30 a day or whatever it is.

34  
35 CHAIRMAN OLSEN: Because that was discussed amongst the  
36 Council Chairs, and you're right, it should be brought back to  
37 the Regional Council for ratification, I believe.

38  
39 MR. CRATTY: Are we moving on?

40  
41 CHAIRMAN OLSEN: Yes.

42  
43 MR. CRATTY: To J?

44  
45 CHAIRMAN OLSEN: I think we.....

46  
47 MR. SMITH: Well, we didn't discuss me yet or did we?

48  
49 CHAIRMAN OLSEN: .....discussed H, right? Are we  
50 comfortable with H?

0218

1 MR. EDENSHAW: No, I just wanted to -- because there  
2 were alternates, we need to discuss that. If you're looking at  
3 the bottom portion under the same tab.

4  
5 MR. CRATTY: Update on alternates.

6  
7 CHAIRMAN OLSEN: What.....

8  
9 MR. CRATTY: On the next page.

10  
11 MR. EDENSHAW: On the same tab, H.

12  
13 MR. SMITH: We're still on H?

14  
15 MR. EDENSHAW: No, I'm in I. Tab I.

16  
17 MR. CRATTY: Update on alternates to serve on Regional  
18 Councils.

19  
20 CHAIRMAN OLSEN: Okay.

21  
22 MR. EDENSHAW: Now, if you look at this table here,  
23 each Regional Council -- the other nine regions addressed the  
24 issue of, do we need or do we want alternates and our region,  
25 Kodiak/Aleutians, they recommended two alternates, one for  
26 Kodiak and one for the Aleutian/Pribilof Islands. And the  
27 bottom, in that one paragraph, it's stated, any change to the  
28 existing membership structure, such as the addition of  
29 alternates, would be made through a Board approved change and  
30 the existing charters. So here again, the charters will be  
31 removed in '98. So the Regional Council charters will be  
32 renewed in '98 and these recommendations will be presented to  
33 the Board at the time.

34  
35 CHAIRMAN OLSEN: Here, as it looks, we didn't -- I'm  
36 trying to remember the time framing in which we were discussing  
37 it. At that time we were also requesting two more members  
38 which did not happen until the most recently, within the last  
39 year. The other reason was because of distance and weather or  
40 being able to attend the meetings. So I don't know if these  
41 are issues, but I believe at this time you are requesting is  
42 this -- do we still want to take a stand on two alternates  
43 recommended; am I correct Cliff?

44  
45 MR. EDENSHAW: Um-hum.

46  
47 CHAIRMAN OLSEN: Sure, Al.

48  
49 MR. CRATTY: Yes. I think we should. If I had had one  
50 more bad day I wouldn't have made it and Ivan didn't make it.



0219

1 So you know, you made it though, but I think it'd be good if we  
2 had an alternate from Kodiak and an alternate from the  
3 Aleutian.

4  
5 CHAIRMAN OLSEN: Vince was next Melvin.

6  
7 MR. TUTIAKOFF: A motion is in order?

8  
9 CHAIRMAN OLSEN: Um-hum.

10  
11 MR. TUTIAKOFF: So moved to have one alternate from  
12 Kodiak and one from the Aleutians.

13  
14 MR. CRATTY: Second.

15  
16 CHAIRMAN OLSEN: Moved and seconded. Discussion.  
17 Melvin.

18  
19 MR. SMITH: I'd just like to say, I think that's a good  
20 idea. You know, our area is so vast and it's so spread out, I  
21 mean the weather just changes hourly, you know.

22  
23 MR. CRATTY: Um-hum.

24  
25 MR. SMITH: You know, somebody might not be able to  
26 make it or somebody else might be able to make it, so I think  
27 it's a good idea that we have alternates from each area.

28  
29 CHAIRMAN OLSEN: Certainly we have experienced this  
30 just this meeting. I mean one of -- Gilda, she was stuck here,  
31 and it was just fortunate for us. But Al was -- missed time  
32 because of weather, too. Certain, Al.

33  
34 MR. CRATTY: Yes. Now, when you do have the  
35 alternates, I just want to get something clear. What's -- they  
36 are going to come to the meetings also?

37  
38 CHAIRMAN OLSEN: I would think they would have to be  
39 invited each meeting to see if they were even available to find  
40 out who was going to be available, either the Council member or  
41 the alternate, I don't know quite how to address that.

42  
43 MR. CRATTY: I think.....

44  
45 MR. EDENSHAW: I think.....

46  
47 MR. CRATTY: What does the Chief have to say about  
48 this?

49  
50 MR. EDENSHAW: First of all, I think, you know, what's

0220

1 going to go is the Board is going to -- am I correct, Taylor,  
2 the Board is going to act on the recommendations from the  
3 Regional Councils, as a whole, from the 10 regions, including  
4 the -- the nine, plus this one. So at the next Board meeting,  
5 I believe, you know, they'll, once we get complete with the  
6 other Regional Councils and see what their recommendations are  
7 regarding alternates, then that will be pushed forth through  
8 the Board and a recommendation or a decision will be made  
9 final.

10  
11 CHAIRMAN OLSEN: In other words, it won't be on a  
12 region by region basis, you said as a whole?

13  
14 MR. TUTIAKOFF: As a whole. They'll vote alternates or  
15 no alternates.

16  
17 CHAIRMAN OLSEN: There's going to be alternates or  
18 there isn't for all regions?

19  
20 MR. BRELSFORD: That is the status at present. This --  
21 if you remember the origins of this, Eastern Interior kind of  
22 got out ahead of all the other Councils and they said they  
23 wanted nine alternates for nine members, shadow council. And  
24 the Board said, wait a second, this is a pretty consequential  
25 matter, we want to see what -- you know, we want some  
26 consistency among the regions so they put it back before the  
27 Councils. This was the tally of results when the individual  
28 Councils took it up in 1996. And what you guys have done is to  
29 confirm your recommendation last time out. You still see that  
30 as the best approach. So the Board would like to see a little  
31 more consistency among the 10 regions, there's no doubt about  
32 that. If we don't get consistency from the 10 regions, I don't  
33 know, I wouldn't predict to exactly what they're response would  
34 be. There may be some room for regional flexibility because of  
35 differences in regions. I think that's -- you know, Councils  
36 can ask for special consideration for their area.

37  
38 So the main thing is we'll go forward with your region  
39 and kind of see how the chips -- how the chips fall.

40  
41 CHAIRMAN OLSEN: Certainly I would hope and recommend  
42 that the Board really take a good look at this just because of  
43 geographics of travel is all or the main reason we feel that we  
44 need it.

45  
46 MR. CRATTY: Yeah.

47  
48 CHAIRMAN OLSEN: It might not be so in a different  
49 region. And so I would hope it's not an either or.

50

0221

1 MR. CRATTY: I believe the alternate that comes out of  
2 Kodiak should come out of the City of Kodiak because of the --  
3 me and Ivan's situation, living in the villages due to weather.

4  
5 CHAIRMAN OLSEN: Thank you.

6  
7 MR. EDENSHAW: Council, Mr. Chair, you know, as the  
8 coordinator, I just want to reiterate communication. You know  
9 they send out the travel itineraries and I call to ensure, you  
10 know, if you're going to be at the meeting and so when you --  
11 well, let's just hypothetically say, down the road that they  
12 have alternates, well, then I would certainly expect a phone  
13 call ahead of time saying, well, I'm not going to be at the  
14 meeting so that can be initiated. But I think, like for  
15 instance, this last go around I called Ivan numerous times and  
16 he never called back. And that's happened -- I've had  
17 difficulty getting a hold of Vince until Melvin gave me his  
18 phone number out in Adak.

19  
20 MR. TUTIAKOFF: You could have just went to the  
21 airport.

22  
23 MR. EDENSHAW: So on my part, as the coordinator, it's  
24 very easy for me to get a hold of Mark. Della, I know how to  
25 get a hold of Della easily. Gilda is very easy. It's just  
26 about communication and calling me back.

27  
28 CHAIRMAN OLSEN: That is one reason I feel that we  
29 addressed unexcused absences.

30  
31 MR. EDENSHAW: Unexcused absences at the last meeting.

32  
33 CHAIRMAN OLSEN: Vince.

34  
35 MR. TUTIAKOFF: Will the coordinator be willing to come  
36 up with some money for some phones to make all the.....

37  
38 MS. TRUMBLE: Cell phones.

39  
40 MR. EDENSHAW: Send me smoke signals.

41  
42 MR. TUTIAKOFF: Smoke signals.

43  
44 (Off record comments)

45  
46 CHAIRMAN OLSEN: We had a motion on the table. Is  
47 there anymore discussion?

48  
49 MR. SMITH: No.

50

0222

1 MR. TUTIAKOFF: Question.

2

3 CHAIRMAN OLSEN: Question's been called for. All those  
4 in favor of the motion signify by aye.

5

6 IN UNISON: Aye.

7

8 CHAIRMAN OLSEN: Those opposed same sign.

9

10 (No negative responses)

11

12 CHAIRMAN OLSEN: Motion passes. I guess the training  
13 for the new Council members, a draft booklet for the Council, I  
14 believe that's -- do we need anymore discussion? Any questions  
15 on that side.

16

17 MR. TUTIAKOFF: Just to read it.

18

19 CHAIRMAN OLSEN: Information.

20

21 MR. GUNDERSON: Just read it.

22

23 CHAIRMAN OLSEN: Just read it.

24

25 MR. EDENSHAW: Well, I think Della and Paul, you should  
26 have received that booklet; correct?

27

28 MR. GUNDERSON: Yeah.

29

30 MR. EDENSHAW: You did receive that?

31

32 MS. TRUMBLE: Yes.

33

34 MR. EDENSHAW: Okay. That's just -- what I think what  
35 I'd like for each of -- yesterday I handed out an evaluation  
36 sheet. You can go, you know, the other -- I think understand a  
37 great deal since -- Melvin was in Anchorage when they put this  
38 booklet together and this is a draft and I provided each of you  
39 with an evaluation. I would really like all of you to, you  
40 know, if you get some time to review the booklet. Melvin and  
41 there was another Council member, I forget his name, he was  
42 also -- Bill Thomas was in Anchorage and some of the  
43 Chairs.....

44

45 MR. SMITH: Other Regional Councils.

46

47 MR. EDENSHAW: And one other gentleman from the Bristol  
48 Bay region. I believe he was from Bristol Bay?

49

50 MR. BRELSFORD: Right. Robert Heyano from Bristol Bay.

0223

1 MR. EDENSHAW: Robert Heyano from Bristol Bay region.

2  
3 MR. BRELSFORD: Fritz George.

4  
5 MR. EDENSHAW: And Fritz George were.....

6  
7 MR. TUTIAKOFF: When do you want this back, tomorrow?  
8 Next week? By the next meeting date?

9  
10 CHAIRMAN OLSEN: Here again, I'd like to say, I also  
11 have this smaller handbook and as I look through it I was very  
12 -- I liked it, it covered a lot. I appreciate work on this of  
13 this magnitude here. But for the general public, layman's  
14 terms and short and to the point is more what they're looking  
15 for. Certainly not -- nothing against -- I'm just trying to  
16 look at what, as we got a draft here and a draft there, what?

17  
18 MR. EDENSHAW: The final will be, I believe before the  
19 February meeting, correct?

20  
21 MR. BRELSFORD: Right. I think that's the rough time  
22 frame.....

23  
24 MR. EDENSHAW: That's the rough time frame.

25  
26 MR. BRELSFORD: .....to be wrapped up by next time, the  
27 next round of meetings.

28  
29 CHAIRMAN OLSEN: So as I went around and addressed this  
30 here, one here, it seemed to me like I was the only one that  
31 had a copy of it.

32  
33 MR. TUTIAKOFF: I got one.

34  
35 MR. GUNDERSON: Well, I've got one.

36  
37 MR. SMITH: I got one.

38  
39 MR. CRATTY: I got one.

40  
41 CHAIRMAN OLSEN: So you do have something to look at  
42 and give your opinion on.

43  
44 MR. SMITH: Like I said yesterday, we tried to keep it  
45 real simple, you know, not all these big government terms or  
46 anything. We just, you know -- so like you say, in layman's  
47 terms, we wanted it real simple, easy to read, you know,  
48 something where somebody's not going to look at it and say, oh,  
49 I don't want to read that, too much, you know. Something where  
50 everybody could understand.

0224

1 MR. TUTIAKOFF: Are these being sent to the tribal  
2 governments or to corporations or to the fish and game advisory  
3 -- you got subsistence advisory councils in some of these  
4 communities, too, you know.

5  
6 CHAIRMAN OLSEN: One other thing I'd like to say, I  
7 look at this and it says, Regional Council members. I would  
8 like this to -- see this more distributed amongst the public to  
9 get more input of possible people wanting to serve on these  
10 Councils. To know the responsibilities of the Councils, even  
11 from our corporations to our councils, the tribal councils. I  
12 think it's healthy information.

13  
14 Melvin.

15  
16 MR. SMITH: We discussed this at -- this same point  
17 you're bringing up at the time we were putting this together.  
18 And I can't remember, I think we wanted just this for the  
19 Council members and then we were going to put something  
20 together for the public, I'm not sure though. You might get  
21 with the Staff that's working on this.

22  
23 CHAIRMAN OLSEN: That was my question. What is the  
24 intent?

25  
26 MR. SMITH: Yeah. I'm not sure what they decided on.

27  
28 CHAIRMAN OLSEN: Because I have no problem with the  
29 title, but I think it should be not just to Council members, I  
30 think this same pamphlet should be distributed as an  
31 information by the departments as well.

32  
33 MR. SMITH: Well, we were even going to put together a  
34 video, a short video to go along with this, but we weren't sure  
35 what we wanted the public to see or just the Council members to  
36 see. So I think Staff or whoever was putting this together is  
37 still working on that.

38  
39 MR. TUTIAKOFF: I think you could just add two words in  
40 there, for -- it says here, for Regional Council members and  
41 you should put, and public membership.

42  
43 MR. BRELSFORD: Interested public.

44  
45 MR. TUTIAKOFF: That way -- yeah, public membership or  
46 interested public. That way you can still use this.....

47  
48 CHAIRMAN OLSEN: Or regional membership. Yes, Taylor.

49  
50 MR. BRELSFORD: Mr. Chairman, in the charters it

0225

1 actually refers to an operations manual.

2  
3 CHAIRMAN OLSEN: Um-hum.

4  
5 MR. BRELSFORD: And we're using this -- once this is  
6 approved by the Board, it becomes like the bylaws that layout  
7 the particulars of meeting procedures and all that stuff. So  
8 it's, in one hand, tied pretty closely to the Regional Council  
9 functions. We have a legal responsibility to have the  
10 operations manual or the bylaws, so I think that's the starting  
11 point of this one. The value in larger communication is very  
12 obvious, and I've actually made a note yesterday that  
13 perspective Council members could look through the five or six  
14 pages of that yellow booklet and get a pretty good idea of how  
15 the Councils work. That's an obvious value. Tom, Mike, the  
16 new pilot here was reading through this thing yesterday saying,  
17 wow, it's a good overview when you're new to subsistence  
18 management as a wildlife biologists or a park ranger. So I  
19 think those are -- you know, there's a lot of valuable purposes  
20 from it. But I think what we thought was, we don't want to  
21 dilute the focus of it by trying to do everything. It should  
22 still be primarily focused on serving Regional Council members  
23 to do their job well, and then a lot of other people can paddle  
24 along and learn from it at the same time.

25  
26 The video that Melvin mentioned is a follow-up tool,  
27 primarily for the Regional Councils. And there may be some  
28 spin-off where it can be used for other publics. But I guess  
29 I'd like to take the input that we need wider public  
30 communication tools about the Council program, about the  
31 subsistence program that this layman's language, question and  
32 answer format is helpful and we should either adapt this for  
33 public purposes or you know, just find a way to distribute it  
34 more broadly. Those are helpful input points that I  
35 appreciate.

36  
37 CHAIRMAN OLSEN: Good. That was my next question, as  
38 to what action, if any, you're looking for. I would like to  
39 compliment whoever did it, it's a nice job. It really is. It  
40 certainly brings out a lot of, like I say, the Top 10 questions  
41 that people are always asking of, what is it, what do you do,  
42 why can't you do this, you know. So within that, I'm saying  
43 that I do like it.

44  
45 MR. TUTIAKOFF: Do we have approve this booklet, is  
46 that what you're saying? Do we have to have a motion or any  
47 kind of action? Or is it just.....

48  
49 MR. BRELSFORD: Input.

50

0226

1 CHAIRMAN OLSEN: No.

2  
3 MR. BRELSFORD: From.....

4  
5 MR. TUTIAKOFF: Between now and February?

6  
7 MR. BRELSFORD: Well, I think I would say.....

8  
9 MR. EDENSHAW: They'd probably like to.....

10  
11 MR. BRELSFORD: .....December 1st so that we can have  
12 it.

13  
14 MR. TUTIAKOFF: Okay.

15  
16 MR. BRELSFORD: This is going to be sent out to a  
17 printer so we need some production time after the first of the  
18 year. I would say December 1st is probably a good deadline.

19  
20 MR. TUTIAKOFF: Okay.

21  
22 MR. CRATTY: For this one?

23  
24 MR. TUTIAKOFF: Yes.

25  
26 MR. EDENSHAW: If you ever meet Louisa Wofling, she is  
27 the lady who drafted -- who put this together and presently  
28 Terry Edwards in our office is going to continue to follow up  
29 to the final draft or final edition of this manual. Taylor was  
30 able to bring her on for two months to get this together.

31  
32 MR. TUTIAKOFF: Let's move on, Mr. Chairman.

33  
34 CHAIRMAN OLSEN: Moving on, thank you. Regulatory year  
35 schedule.

36  
37 MR. SMITH: We skipped over me?

38  
39 MR. EDENSHAW: I asked Robert.....

40  
41 MR. SMITH: Or did we talk about me already?

42  
43 MR. TUTIAKOFF: We already did you.

44  
45 MR. EDENSHAW: His would be short and sweet.

46  
47 MR. SMITH: I was going to say something, but that's  
48 okay.

49  
50 MR. WILLIS: I'll just say a few words about that, it's



0227

1 Item J -- under Item J in your booklet. And the reason that  
2 we're proposing to move the Council meetings a month later is  
3 because we run into serious problems with some of the other  
4 regions that have a heavy load of proposals every year. In  
5 that there isn't sufficient time to do an analysis between  
6 early November when we get the last of these proposals in and  
7 the first of January when we have to start submitting them for  
8 review in order to have time to print up the books that go to  
9 the Council members for their meetings.

10  
11 What happens is is hunting seasons are still going on,  
12 so we don't have harvest data. Survey data that was collected  
13 earlier has not yet been put together and it's not available  
14 from the State or the refuges or the parks. All the field  
15 people that we need to contact with to evaluate these proposals  
16 are gone outside on vacation over the holidays during  
17 Thanksgiving and Christmas, and as a result we're seriously  
18 short of information to put together the Council books and to  
19 do analysis for the Council books. This information, we  
20 continue to get it during January, but by then the Council  
21 books are already printed and on their way. We come to the  
22 Council meeting and make a presentation based on the  
23 information that we had when we put the books together. A lot  
24 of times, by the time we get to the Board meeting in April,  
25 then we've got all the harvest data, we've got the survey data,  
26 we've contacted all the field people and we wind up with a  
27 different presentation to the Board. And a lot of times we'll  
28 have information that leads us to a different conclusion for  
29 the Board than what we had -- than what the Council acted on,  
30 and this has created some serious confrontations between the  
31 Board and the Councils in the past, and we're trying to avoid  
32 that. And the way we want to do it is just to have the month  
33 of January to put together these analysis, get all this data  
34 together so that we can present the same stuff to the Council  
35 that the Boards and the Staff Committee are going to get a  
36 month later. So that's why we looked at an alternative  
37 schedule. And you have a couple of calendar pages in this book  
38 also indicating the current window for winter Council meetings  
39 and the proposed window for Council meetings. And actually I  
40 would like to slip that window a little bit further than  
41 February 16th myself, so that we had all of the month of  
42 January to prepare. This is something for you to consider when  
43 you're -- Taylor, I guess we need some input pretty quick on  
44 that because the Board is considering this right now also and  
45 would like to know what the Councils think in order to possibly  
46 take some action this year. Taylor, would you like to add  
47 something to that?

48  
49 MR. BRELSFORD: No, I think Robert's told you the value  
50 that would come from making the proposed change. The impacts

0228

1 are in kind of bold print in there. That the winter meeting  
2 would be February/March and the Board meeting would be the  
3 beginning of May. So basically the last stage would be shifted  
4 back a month. And I think we're pretty strongly convinced of  
5 the value of doing this and we'd like your sign off, basically.  
6 If there are deal breakers in a bunch of regions we need to  
7 hear that now, but we think there's pretty good justification,  
8 pretty good benefit to Council's good decision making to try  
9 and move ahead on that. So I think we'd like your concurrence  
10 in that alternate schedule, the one Robert showed that would  
11 put most of the meetings in March -- well, February, March --  
12 mid-February to March and have the Board meeting a month later.  
13 This current one would still provide for the seasonal year, the  
14 regulatory year would still start on July 1. Where we're  
15 picking up this extra month is by squeezing some efficiency out  
16 of the steps in Washington after the Board meeting. We want to  
17 run that a little more quickly at that stage in order to have  
18 some better payoffs with the Councils earlier in the year.

19  
20 CHAIRMAN OLSEN: Certainly, you know, that this has  
21 been addressed by many of the different Regional Councils and  
22 always has been a topic. Certainly, when I look at our Region  
23 May meetings and the April meetings are at a time when we are  
24 gaining momentum for the upcoming year, which to a lot of us,  
25 that is a big part of our financial year, too. Whether it's  
26 preparing for longlining, whether it's herring or whether it's  
27 salmon. At this point here, since we've had some change in the  
28 Council it's not as harsh on our Council now as we've got new  
29 membership. But here again, I think, the only thing I see is  
30 the beginning of May, that is still in a transition period. If  
31 we had it more towards the end of May then we are basically  
32 coastal communities in between seasons.

33  
34 MR. CRATTY: What are you talking, Mark, not for the  
35 Councils, you're talking for the Board?

36  
37 MR. TUTIAKOFF: For the Board.

38  
39 CHAIRMAN OLSEN: Right, Board meeting.

40  
41 MR. CRATTY: Okay.

42  
43 MR. BRELSFORD: Chairman will go to the Board meeting.  
44 I guess I feel I need to be a little forthright, I doubt if we  
45 can have a Board meeting as late as the end of May and still  
46 get all the regs out, published and all that stuff by June  
47 30th. I think we've squeezed this about as far back with the  
48 July 1 start date as is possible. I mean it's input we can  
49 carry forward, but I don't think that's going to happen Mark.  
50 Like Al was just saying, the May deal effects the chairs who

0229

1 come in for the Board meeting. The part of this that would  
2 effect all of the Council members would be the February, March  
3 winter meetings instead of January, February.

4  
5 CHAIRMAN OLSEN: And I would just like to address this  
6 from my immediate point of view. It is bad timing for me so I  
7 would depend on the vice chair for -- I can almost for certain  
8 say that I'm not ready to give up the herring industry yet for  
9 one meeting. Vince.

10  
11 MR. TUTIAKOFF: We're asking for setting the dates with  
12 the current window for the winter meeting and the alternate  
13 dates for the winter meeting, right, right now? Just to get  
14 for discussion out on the floor, February 26th and 27th for the  
15 current Council meeting window and for alternate Council  
16 meeting window would be March 12th and March 13th as an  
17 alternate.

18  
19 MR. SMITH: So what was the numbers, Vince?

20  
21 MR. TUTIAKOFF: Um?

22  
23 MR. SMITH: What was the second number?

24  
25 MR. TUTIAKOFF: March 12th and 13th for the alternate  
26 Council meeting dates. And for the current Council meeting  
27 window, February 26th and 27th.

28  
29 MR. TUTIAKOFF: Is the plane coming in early there,  
30 Robert?

31  
32 MR. WILLIS: I'm going to go check out and come back so  
33 we're not all standing there around that one little checkout  
34 line.

35  
36 MR. TUTIAKOFF: Do you know something we don't know?

37  
38 (Off record comments)

39  
40 MR. BRELSFORD: Mr. Chairman, there was one other  
41 influence on scheduling and that was, we were hoping to get  
42 some of the regions that have a big load of proposals, it's the  
43 last paragraph on that page. Several regions have more  
44 proposals -- they have proposals with a lot of complexity;  
45 Southeast, Southcentral, Bristol Bay and Eastern Interior. We  
46 were hoping to have those at the end of the window and so try  
47 and have the other Councils meet early in the window. And it  
48 looks like your proposed dates, Vince, are kind of late in the  
49 windows. Is there a way to move you guys towards the beginning  
50 of the window as possible.

0230

1 MR. TUTIAKOFF: Well.....

2

3 MR. BRELSFORD: Like the February 26th, 27 would be a  
4 great date under the alternate window, for example that would  
5 be in the first part. Your initial dates, February 26 and 27  
6 would be very helpful under the alternate Council schedule.

7

8 MR. TUTIAKOFF: Okay, I'm willing to move that one, the  
9 alternate.

10

11 MR. CRATTY: Then what will be the permanent dates?

12

13 MR. TUTIAKOFF: I have a problem with the scheduling  
14 because.....

15

16 MR. CRATTY: The 16th and 17th?

17

18 MR. TUTIAKOFF: The 16th through -- that week of the  
19 16th is my Board meeting, Aleut Corporation. We usually have  
20 the Board meeting and training session there in that.....

21

22 MR. BRELSFORD: No, the second week's perfect -- it  
23 would be a big help.

24

25 MR. TUTIAKOFF: So I could go up to the.....

26

27 MR. SMITH: 9th, 10th?

28

29 MR. TUTIAKOFF: Is that.....

30

31 MR. SMITH: What 5th and 6th?

32

33 MR. TUTIAKOFF: 5th and 6th.....

34

35 MR. CRATTY: Of March?

36

37 MR. TUTIAKOFF: February.

38

39 MS. TRUMBLE: February.

40

41 MR. TUTIAKOFF: That will be fine with me.

42

43 MR. CRATTY: That would be the date for the next  
44 meeting?

45

46 MR. TUTIAKOFF: For the current Council, yeah.

47

48 MR. EDENSHAW: Excuse me, Vince.

49

50 MR. TUTIAKOFF: Yeah.

0231

1 MR. EDENSHAW: It looks like we're getting into two  
2 different things here. What we're asking is the Regional  
3 Council to thumbs up or down about a change in the regulatory  
4 cycle. What I'm hearing you say are you're stating dates for  
5 the next Regional Council meeting, what we're talking about is  
6 a permanent change in the cycle. That from here on out that  
7 the meetings will be held during the alternate schedule, which  
8 would be -- the Board meetings would be 5/4 through 5/8.

9  
10 MR. TUTIAKOFF: Okay, I misunderstood.

11  
12 MR. EDENSHAW: Okay.

13  
14 MR. TUTIAKOFF: I thought you wanted dates.

15  
16 MR. EDENSHAW: So that's what we need to clear up.

17  
18 MR. TUTIAKOFF: Okay.

19  
20 MR. EDENSHAW: And then the place and time of next  
21 meeting, that can be.....

22  
23 MR. TUTIAKOFF: I move to approve the meeting change if  
24 it happens, the 30 day change then. That's all we need?

25  
26 MR. EDENSHAW: Correct.

27  
28 MR. TUTIAKOFF: It won't happen by the motion, but  
29 gives Staff an opportunity to make those changes to the  
30 regulatory change; is that right?

31  
32 MR. EDENSHAW: Um-hum.

33  
34 MR. TUTIAKOFF: Okay, I move.

35  
36 CHAIRMAN OLSEN: Moved and seconded.

37  
38 MR. BRELSFORD: Al seconds?

39  
40 MR. CRATTY: No.

41  
42 MS. HILE: Melvin.

43  
44 MR. EDENSHAW: Melvin.

45  
46 MR. CRATTY: Question.

47  
48 CHAIRMAN OLSEN: Question. All those in favor.

49  
50 IN UNISON: Aye.

0232

1 CHAIRMAN OLSEN: Those opposed.

2  
3 (No opposing responses)

4  
5 MR. TUTIAKOFF: Sorry, I thought they were asking for  
6 dates the way Robert was talking.

7  
8 MR. EDENSHAW: Well, that's.....

9  
10 MS. TRUMBLE: That's next.

11  
12 MR. CRATTY: You figured it out now, eh.

13  
14 MR. TUTIAKOFF: Okay, I move the next meeting be  
15 February 5th and 6th in Anchorage.

16  
17 CHAIRMAN OLSEN: February 5th and 6th, Fur Rondevous is  
18 going then?

19  
20 MR. TUTIAKOFF: I don't know.

21  
22 MR. SMITH: Well, I think that starts the 12th, doesn't  
23 it?

24  
25 MR. TUTIAKOFF: When is Fur Rondevous?

26  
27 MR. SMITH: We should have it the next weekend.

28  
29 MR. CRATTY: Isn't it the 14th?

30  
31 MR. SMITH: It starts the 12th, yeah it's going to  
32 start on the 13th.

33  
34 MR. BRELSFORD: I think the races are right around  
35 Valentines Day.....

36  
37 MS. TRUMBLE: The 12th.

38  
39 MR. BRELSFORD: .....so it would be the following week  
40 for the dog races.

41  
42 MR. TUTIAKOFF: I move the meeting up.

43  
44 MR. CRATTY: Oh, that's okay. The 12th and the 13th.

45  
46 MR. TUTIAKOFF: That's fine with me.

47  
48 MR. SMITH: Yeah, there you go.

49  
50 MR. TUTIAKOFF: They were asking for an earlier date to

0233

1 the window, that's why I was saying.

2

3 MR. CRATTY: Well, what's wrong with the 12th and the  
4 13th.

5

6 MS. TRUMBLE: You said it's fine after the second week,  
7 didn't you?

8

9 MR. BRELSFORD: Yeah, that.....

10

11 MR. TUTIAKOFF: Is the 12th and the 13th okay?

12

13 MR. BRELSFORD: I think it's workable.

14

15 MR. GUNDERSON: When is the State Board of Fishery  
16 meeting?

17

18 MS. TRUMBLE: January, I think.

19

20 MR. SMITH: That's January 16th.

21

22 MS. TRUMBLE: Yeah.

23

24 MR. GUNDERSON: Oh, is it? I thought it was the one in  
25 Dillingham earlier.

26

27 (Off record comments)

28

29 CHAIRMAN OLSEN: Okay. Are we in agreement on what  
30 date then? So far I've heard the 12th and 13th or the 5th and  
31 6th. Where do we want to identify it?

32

33 MR. CRATTY: I think the 12th and 13th.

34

35 MR. TUTIAKOFF: I'm fine with the 12th and 13th, I just  
36 need a date.

37

38 CHAIRMAN OLSEN: I heard a proposal 12th and 13th.

39

40 MR. CRATTY: In Anchorage.

41

42 CHAIRMAN OLSEN: Is there any objection?

43

44 MR. TUTIAKOFF: In Anchorage, that's part of the  
45 motion.

46

47 MR. CRATTY: I second.

48

49 CHAIRMAN OLSEN: This needs motion action?

50

0234  
1 MR. BRELSFORD: No.  
2  
3 CHAIRMAN OLSEN: No action. I just want to make sure  
4 that we all agree.  
5  
6 MR. TUTIAKOFF: It's unanimous.  
7  
8 MR. BRELSFORD: And then on that second window, Vince,  
9 you were looking at the 26th and 27th of February?  
10  
11 MR. CRATTY: Yes.  
12  
13 MR. TUTIAKOFF: Yes.  
14  
15  
16 MR. BRELSFORD: Also Anchorage?  
17  
18 MR. CRATTY: Um-hum.  
19  
20 MR. TUTIAKOFF: Wow, this is two weeks later. I mean  
21 it's not going to happen but that's fine.  
22  
23 CHAIRMAN OLSEN: You're talking alternate meeting?  
24  
25 MS. MASON: Yeah.  
26  
27 MR. TUTIAKOFF: The alternate date would be the  
28 26th.....  
29  
30 MR. CRATTY: How did we -- excuse me, Mr. Chair. How  
31 did we skip Regional Council proposals?  
32  
33 CHAIRMAN OLSEN: We haven't yet.  
34  
35 MS. MASON: We haven't done them yet.  
36  
37 CHAIRMAN OLSEN: We got a flexible schedule.  
38  
39 MR. EDENSHAW: We're taking the easy stuff first.  
40  
41 MR. CRATTY: We're way down at the bottom.  
42  
43 CHAIRMAN OLSEN: We're bouncing around. It's Chief  
44 Evenclaw's doing.  
45  
46 MR. BRELSFORD: So the 26, 27 is the alternate schedule  
47 date?  
48  
49 MR. TUTIAKOFF: That was recommended.  
50



0235

1 MR. BRELSFORD: That concludes that item, Mr. Chair.

2

3 CHAIRMAN OLSEN: Thank you, that's what I thought. I  
4 would like to take a moment and backup. I guess we did cover  
5 Melvin Smith and his.....

6

7 MR. CRATTY: Yes.

8

9 CHAIRMAN OLSEN: .....issue?

10

11 MS. TRUMBLE: It's more like we're hopping around.

12

13 MR. SMITH: Yeah, I guess.

14

15 MR. CRATTY: We covered everything.

16

17 MR. SMITH: I was going to say something, but that's  
18 okay, I'm not going to.

19

20 CHAIRMAN OLSEN: No, we'd.....

21

22 MR. CRATTY: No.

23

24 CHAIRMAN OLSEN: .....like to hear from you.

25

26 MR. SMITH: Okay. Well, as everybody knows I'm working  
27 in Anchorage now for the Aleut Corporation, you know, and I'm  
28 no longer in this region. But I feel I'm still representing  
29 this region with the work I do, you know, and I'd like the  
30 opportunity to fulfill my term anyway, you know. And I'd like  
31 to say whether I remain on the Board or not or if I'm removed,  
32 I'm still going to be representing my region, you know, in  
33 subsistence or fisheries or whatever it is. But that's all I  
34 wanted to say about my membership.

35

36 CHAIRMAN OLSEN: Well, thank you. I think that you  
37 seen by the action today that the Council has definitely taken  
38 this very serious and we, at the Council, see no justification  
39 or reason other than as it is spelled out in Title VIII. And  
40 certainly I think we have set forth something to helpfully help  
41 that issue out. But absolutely appreciate your willingness to  
42 continue.

43

44 I guess we do need to look at the proposals. One was,  
45 I think, was the brown bear of Unit 9(D). Where are we at with  
46 that?

47

48 MR. TUTIAKOFF: Mr. Chairman.

49

50 CHAIRMAN OLSEN: Vince.

0236

1 MR. TUTIAKOFF: I'd like to make a motion to institute  
2 a brown bear C&T in Unit 9(D), to include all communities of  
3 Unit 9(D).  
4

5 MS. MASON: What about 10?  
6

7 CHAIRMAN OLSEN: And 10?  
8

9 MS. MASON: Ten was also Unimak Island in the request.  
10

11 MR. TUTIAKOFF: Okay. Whatever is within our,  
12 Kodiak/Aleutians is what I was trying to address. Yesterday  
13 was specific to 9(D) and I didn't hear anything on 10.  
14

15 CHAIRMAN OLSEN: Right. We already do have that in  
16 Unit 8.  
17

18 MS. TRUMBLE: They mentioned something about it.  
19

20 MR. TUTIAKOFF: They did, okay, so I'll -- you know,  
21 I'm agreeable to 9(D) and 10 as part of the.....  
22

23 MR. CRATTY: I'll second.  
24

25 CHAIRMAN OLSEN: Moved and seconded. Discussion.  
26

27 MR. TUTIAKOFF: I know that we wanted response from the  
28 communities in writing or some sort of commentary for the use  
29 of the brown bear as a C&T. I know that those individuals are  
30 not here now, they were here earlier, that wanted to speak to  
31 this. I don't know if they've gone, went hunting or whatever,  
32 but.....  
33

34 CHAIRMAN OLSEN: Should we wait until after lunch  
35 to.....  
36

37 MR. SMITH: No.  
38

39 MS. TRUMBLE: No.  
40

41 MR. CRATTY: I think if we could have Della, maybe  
42 submit letters or something.  
43

44 MS. TRUMBLE: Yeah.  
45

46 MR. TUTIAKOFF: Get the word to the communities and  
47 Paul.  
48

49 MS. TRUMBLE: Okay.  
50

0237

1 MR. TUTIAKOFF: But the object of this motion is to  
2 institute it, get it moving, start to process so that we can  
3 present it, say at our next fall meeting.

4  
5 Question.

6  
7 MR. BRELSFORD: Well, a point of clarification.  
8 Proposals submitted now would normally come back to you with a  
9 Staff analysis in the winter meeting.

10  
11 MR. TUTIAKOFF: Right.

12  
13 MR. BRELSFORD: And then go before the Board in spring  
14 of '98.

15  
16 MR. TUTIAKOFF: Yeah, that's what I was mentioning.

17  
18 MR. BRELSFORD: Okay, so it could be effective next  
19 year.

20  
21 MR. TUTIAKOFF: So it's backwards, right.

22  
23 MR. BRELSFORD: Okay.

24  
25 MR. TUTIAKOFF: Come into effect next year.

26  
27 MS. TRUMBLE: And the timing next year would be good,  
28 too, anyways, a spring hunt.

29  
30 CHAIRMAN OLSEN: Question's been called. Those in  
31 favor signify aye.

32  
33 IN UNISON: Aye.

34  
35 CHAIRMAN OLSEN: Those opposed.

36  
37 (No opposing responses)

38  
39 CHAIRMAN OLSEN: Motion passes.

40  
41 MR. TUTIAKOFF: There's another one on the -- we tabled  
42 the other issue?

43  
44 CHAIRMAN OLSEN: Beaver?

45  
46 MS. TRUMBLE: Beaver.

47  
48 MR. TUTIAKOFF: Beaver.

49  
50 CHAIRMAN OLSEN: But I think for a different reason.

0238

1 Al.

2

3 MR. CRATTY: Mr. Chair, yes, you had made a motion to  
4 have a subsistence deer hunt in Unit 8, from January 1st to  
5 January 31st?

6

7 CHAIRMAN OLSEN: Yes. That was a consideration I was  
8 hoping that we might be able to extend our current season, that  
9 normally ends December 31st to January 31st. Because at that  
10 time -- last winter we had rain, rain, rain, rain.

11

12 MR. CRATTY: Um-hum.

13

14 CHAIRMAN OLSEN: And come January, our hunting season -  
15 - I mean those that went out deer hunting came back totally  
16 disappointed and empty handed for all general purposes because  
17 the deer just don't get up an move in that hard of rainstorms.  
18 But January came out as good weather, and once again, the  
19 species are not in jeopardy by any means. And this is kind of  
20 a system that the State used to do in the previous years when  
21 things like this happened. They would extend it a lot of times  
22 through January.

23

24 Certainly this last time we had this extension it kind  
25 of bit us hard and I don't want to set that as another  
26 situation to comprise what we're trying to achieve. So with  
27 that, I would like to propose it.

28

29 MR. STOVALL: This is Robert from Kodiak National  
30 Wildlife Refuge. For clarification, this is a -- I'm going on  
31 the assumption that this is a proposal that's being -- that  
32 would be brought to the Federal Subsistence Board through their  
33 normal regulatory cycle, which would mean that the actual  
34 implementation of it would not happen until January of 1999.  
35 It wouldn't happen this year in other words.

36

37 MR. CRATTY: How do we go about having it happen this  
38 year? I think like Mark's saying, it's a good idea.

39

40 CHAIRMAN OLSEN: Special action?

41

42 MR. SMITH: Special action.

43

44 MR. CRATTY: There are people out in the villages that  
45 can't get out to get their deer if the weather's bad in  
46 December, they rely on January, you know.

47

48 MR. STOVALL: This is where I have to ask Taylor, I  
49 guess. If there's a special action and that action -- and the  
50 Board approved that and it happens, is there still -- there's a

0239

1 desire, I guess.....

2  
3 CHAIRMAN OLSEN: Continue.

4  
5 MR. STOVALL: .....among the Council to have it going  
6 on every year, so they're still going to have to have a  
7 proposal for that.....

8  
9 CHAIRMAN OLSEN: Sure.

10  
11 MS. MASON: Yeah.

12  
13 MR. STOVALL: .....for every year. Plus they would  
14 have to have.....

15  
16 CHAIRMAN OLSEN: But in the mean.....

17  
18 MS. MASON: Regular.

19  
20 CHAIRMAN OLSEN: .....time we could have special.....

21  
22 MR. STOVALL: .....a special -- okay.

23  
24 MR. CRATTY: Yes. We'd like to have a special action  
25 on it.

26  
27 MR. STOVALL: Okay.

28  
29 MR. CRATTY: So do we have to submit a proposal for  
30 special action or how does that.....

31  
32 MR. STOVALL: I would do both. Submit a special action  
33 and submit.....

34  
35 MR. TUTIAKOFF: Propose two seasons.

36  
37 MR. STOVALL: .....a proposal for a season from now on.

38  
39 CHAIRMAN OLSEN: Right. Season change, right.

40  
41 MR. STOVALL: I guess the Board would -- I don't know  
42 when the Board would act on the special request, hopefully  
43 sooner. And my suggestion for everyone here, the Council  
44 members, especially those in Kodiak, is that you go out and let  
45 it be known publicly that this is what you want to do so that  
46 there's no guess work and you don't have a lot of irate people  
47 in January.

48  
49 MR. CRATTY: Well, I don't think we're going to have  
50 the problem in January because the State season used to run

0240

1 into January 31st. The main reason there was a problem with  
2 the last one because it was March.

3  
4 CHAIRMAN OLSEN: It didn't go through the process.

5  
6 MR. CRATTY: Yeah. I mean people realize that a season  
7 could happen in January.

8  
9 MR. STOVALL: Yeah, I understand that. All I would say  
10 is that if I had -- if I was a member, I would probably make  
11 sure that I'd approach the Fish and Game Councils.....

12  
13 MR. CRATTY: Tribal.

14  
15 MR. STOVALL: .....all tribal -- I would let all of the  
16 people know that this is what this Council has decided to try  
17 to do for this year and from now on. It's just something that  
18 you're going to be doing anyway, I'm sure.

19  
20 MR. CRATTY: So as me as sitting on the Fish and Game  
21 Advisory Council.....

22  
23 MR. STOVALL: I would let them know.

24  
25 MR. CRATTY: .....you think I should let them know?

26  
27 MR. STOVALL: Um-hum. So that they can, you know,  
28 their constituent base is aware of this change that's going to  
29 happen or could happen.

30  
31 MR. GUNDERSON: Couldn't that be handled through  
32 management on an emergency order?

33  
34 MR. CRATTY: Could our Chief there just send them a  
35 letter?

36  
37 MR. EDENSHAW: Al, let me clear this up first. Mark is  
38 requesting that a one month extension of the deer season  
39 through January 31st. So in the form.....

40  
41 CHAIRMAN OLSEN: That would be.....

42  
43 MR. EDENSHAW: .....of a motion, then that will set it  
44 off for a special action. If you want to have it done this  
45 year then we'll address that in terms of a special action  
46 request which will come up from the Regional Advisory Council.  
47 So I'll work with Mark to draft up a letter and he'll sign off  
48 it and it will get pushed through.

49  
50 CHAIRMAN OLSEN: But continuously be worked on for a

0241  
1 change of season?  
2  
3 MR. EDENSHAW: Correct.  
4  
5 MR. CRATTY: Yes. And then you could send it to the  
6 Fish and Game Advisory Council Chair, to the.....  
7  
8 MR. EDENSHAW: Well, that really wouldn't have anything  
9 to do -- because that's only on Federal public -- we're only on  
10 Federal public lands.  
11  
12 MR. CRATTY: Well, they're the ones that raised heck  
13 when we had the last one.  
14  
15 MR. EDENSHAW: But they would have an opportunity.....  
16  
17 MR. CRATTY: So it'd be good to have them to know the  
18 knowledge.  
19  
20 MR. EDENSHAW: But they would have an opportunity to  
21 comment during the regular process when the proposal is being  
22 submitted and addressed by the Board. The State would have  
23 their opportunity to address that then.  
24  
25 MR. CRATTY: I don't think there would be a problem  
26 because the State used to run the season into January 31st.  
27  
28 CHAIRMAN OLSEN: I think we'll hold that meeting in  
29 Unalaska then.  
30  
31 MR. SMITH: Adak.  
32  
33 MR. TUTIAKOFF: There you go. So is there a motion on  
34 the floor to that effect?  
35  
36 CHAIRMAN OLSEN: I was.....  
37  
38 MR. CRATTY: Yes.  
39  
40 CHAIRMAN OLSEN: .....entertaining a motion.  
41  
42 MR. TUTIAKOFF: We do?  
43  
44 CHAIRMAN OLSEN: And I believe that was.....  
45  
46 MR. TUTIAKOFF: I'll second it.  
47  
48 MR. CRATTY: I'll make a motion.  
49  
50 CHAIRMAN OLSEN: Moved and seconded on the motion

0242

1 to.....

2

3 MR. TUTIAKOFF: Extend one month.

4

5 CHAIRMAN OLSEN: .....extend a special action request  
6 for this year and to simultaneously put in for a change of  
7 season.....

8

9 MR. SMITH: In regulation.

10

11 CHAIRMAN OLSEN: .....in regulation.

12

13 MR. CRATTY: Just as long as it doesn't effect the deer  
14 population. If the deers are.....

15

16 CHAIRMAN OLSEN: At this point it hasn't.

17

18 MR. CRATTY: Yeah.

19

20 CHAIRMAN OLSEN: So moved and seconded.

21

22 MR. SMITH: Question.

23

24 CHAIRMAN OLSEN: Anymore discussion? The question's  
25 been called. Those in favor signify by aye.

26

27 IN UNISON: Aye.

28

29 CHAIRMAN OLSEN: Those opposed by the same sign.

30

31 (No opposing responses)

32

33 CHAIRMAN OLSEN: Passed. Okay. We have, I think,  
34 pretty much come to establish the next place of meeting which  
35 we have done. Public comments, do we have any public comments?

36

37 MR. SIEKANIEC: I'll make one.

38

39 CHAIRMAN OLSEN: Certainly.

40

41 MR. SIEKANIEC: This is Greg Siekaniec from Izembek  
42 Refuge, and I just want to thank the Council for all the time  
43 yesterday. And that, you know, we're working in the right  
44 direction, you know, we're going to keep working with the  
45 caribou and working with the communities to get to where we  
46 need to be. So anyway, again, thanks for your time.

47

48 MR. CRATTY: We appreciate your input, too, Greg.

49

50 MR. SMITH: Thank you, Greg.



0243

1 MR. CRATTY: We're learning a lot.

2

3 CHAIRMAN OLSEN: Thank you. We take all the attaboys  
4 we can get.

5

6 MR. TUTIAKOFF: I don't know if he was here when we  
7 made the -- I guess you just walked in, regarding the brown  
8 bear C&T?

9

10 MR. SIEKANIEC: Yeah, I heard that.

11

12 MR. TUTIAKOFF: So we'll be working closely with you on  
13 that -- the communities will be working closely with you to get  
14 information to you.

15

16 CHAIRMAN OLSEN: I guess we took that as, also  
17 Council/Staff/Agency comments?

18

19 MS. MASON: What, that that represented everybody's  
20 comments?

21

22 CHAIRMAN OLSEN: Just seeing if everybody's awake.

23

24 MR. SMITH: You said yours already.

25

26 MR. GUNDERSON: He covered everybody's.

27

28 (Off record comments)

29

30 MS. MASON: Well, I'll make a comment that I just --  
31 it's a pleasure.....

32

33 CHAIRMAN OLSEN: Who are you?

34

35 MS. MASON: My name's Rachel Mason, anthropologist with  
36 the team. It's a pleasure to work with all of you and I wanted  
37 to welcome Della and Paul to the Council. Also to thank Greg  
38 for hosting the meeting and for all the help here.

39

40 MR. SIEKANIEC: Who's hosting?

41

42 MS. MASON: For providing us help in setting up the  
43 meeting.

44

45 CHAIRMAN OLSEN: And I would just like to make a  
46 comment here, stating that number one, it's a -- there was a  
47 time when I went to a Board meeting expecting to come home with  
48 my resignation in hand. Things were difficult at one time.  
49 Not saying that they go undifficult (sic), but certainly having  
50 a good Council that is ready to discuss the issues at great

0244

1 length and to take the time to do so certainly makes the Chair  
2 job easier. Certainly that, as you are aware the Chair goes  
3 before the Board with the results from our Council meetings.  
4 Sometimes that can take a beating within itself, too. But it  
5 certainly does make the Chair job much easier. I really  
6 appreciate your continued support as reelecting me as your  
7 Chair. But I certainly want to encourage that anything that  
8 you might have before you, whether you feel it's good or bad, I  
9 want to hear it and work with you on it. And I also hope that  
10 in the future somebody else will look at wanting to be  
11 considered in the position.

12

13 Thank you.

14

15 MR. BRELSFORD: Mr. Chair.

16

17 CHAIRMAN OLSEN: Yes.

18

19 MR. BRELSFORD: Since it hasn't been said yet, I'd like  
20 to be sure that we express our appreciation for Cliff's work.  
21 I sort of feel like Cliff's really hit is stride in setting up  
22 meetings and getting facilities put together and materials and  
23 equipment and all of that. This was really pretty smooth  
24 folks, and seven out of nine members, some pretty contentious  
25 difficult issues, quite a bit of material to bring into the  
26 discussion. I want to express my appreciation, personally, and  
27 I think I speak for all of us in saying, I think Cliff did a  
28 really terrific job for us on this. And congratulations to the  
29 officers that returned to office or joining us in office. I  
30 think the Council, as a whole, is really maturing in terms of  
31 its leadership on difficult resource issues and problem  
32 solving, looking ahead to the future. I think it was a very  
33 successful meeting and I'm really glad I was able to join you.

34

35 CHAIRMAN OLSEN: So would it be appropriate for us just  
36 to say, hail to the Chief.

37

38 MR. CRATTY: Chief Evenclaw.

39

40 CHAIRMAN OLSEN: Vince.

41

42 MR. TUTIAKOFF: I know that from my presence on this  
43 Board in the last year it's been difficult for the Board to  
44 understand some of the situations that I was not available for  
45 two meetings. And I tried to make contact with the Chair and  
46 at the time Cliff was new to the position that he holds, being  
47 out at Adak, you can't just jump on a plane and fly into  
48 Anchorage and try to find you guys.

49

50 CHAIRMAN OLSEN: It's the only thing to do.

0245

1 MR. TUTIAKOFF: What?

2

3 CHAIRMAN OLSEN: It's the only thing you can do in  
4 Adak.

5

6 MR. TUTIAKOFF: Yeah, it's the only thing you can do,  
7 yeah. But appreciate the Council's being aware of my other  
8 positions that I have in the region. I'll strive to attend all  
9 the meetings as much as I can. And now that they know my phone  
10 number, I'm sure they'll contact me out there, and I'll get a  
11 mailing address some day.

12

13 CHAIRMAN OLSEN: And certainly, Vince, I want to say  
14 that you do bring important information to the meetings. The  
15 letters that were sent out, I feel the responsibility to do so,  
16 so that we don't get lackadaisical people representing without  
17 notifications. We want to keep this together. It's the only  
18 way we're going to be successful is to prove that we do take  
19 this very serious. So it was nothing personal.

20

21 MR. GUNDERSON: I don't understand.

22

23 CHAIRMAN OLSEN: I certainly understand that. And we  
24 hope to see you to continue to bring this useful information  
25 and contributions to the Council.

26

27 MR. TUTIAKOFF: Move to adjourn.

28

29 MR. SMITH: Second.

30

31 CHAIRMAN OLSEN: We're gone.

32

33 (END OF PROCEEDINGS)

34

35 \* \* \* \* \*

C E R T I F I C A T E

UNITED STATES OF AMERICA )

) ss.

STATE OF ALASKA )

I, Salena A. Hile, Notary Public in and for the State of Alaska and Reporter for R&R Court Reporters, Inc., do hereby certify:

THAT the foregoing pages numbered 02 through 245 contain a full, true and correct Transcript of the Kodiak/Aleutians Subsistence Regional Advisory Council meeting taken electronically by me on the 25th and 26th and days of September, 1997, beginning at the hour of 9:00 o'clock a.m. at the City Library Room in Cold Bay, Alaska;

THAT the transcript is a true and correct transcript requested to be transcribed and thereafter transcribed by me to the best of my knowledge and ability;

THAT I am not an employee, attorney, or party interested in any way in this action.

DATED at Anchorage, Alaska, October 3, 1997.

\_\_\_\_\_  
Notary Public in and for Alaska  
My Commission Expires: 11/5/98